

EC2020-176**BUILDING CODES ACT
DECLARATION RE**

Under authority of section 37 of the *Building Codes Act* Stats. P.E.I. 2017, c. 61 Council ordered that a Proclamation do issue proclaiming sections 2, 3, 5(1), 6-8, 10-33 and 35-37 of the said "Building Codes Act" to come into force effective March 31, 2020.

EC2020-177**BUILDING CODES ACT
BUILDING CODES REGULATIONS**

Pursuant to section 32 of the *Building Codes Act* R.S.P.E.I. 1988, Cap. B-5.1, Council made the following regulations:

PART 1 - INTERPRETATION AND APPLICATION

Division 1- Definitions

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| 1. (1) In these regulations, | Definitions |
| (a) "Act" means the <i>Building Codes Act</i> R.S.P.E.I. 1988, Cap. B-5.1; | Act |
| (b) "building" means any structure used or intended for supporting or sheltering any use or occupancy; | building |
| (c) "building area" means the greatest horizontal area of a building above grade within the outside surface of the exterior walls or within the outside surface of exterior walls and the centre line of firewalls; | building area |
| (d) "Building Code" means the National Building Code of Canada adopted under section 2; | Building Code |
| (e) "Energy Code" means the National Energy Code of Canada adopted under section 2; | Energy Code |
| (f) "heritage building" means a heritage place that is a single property or structure registered by the Minister under the <i>Heritage Places Protection Act</i> R.S.P.E.I. 1988, Cap. H-3.1, or designated as a heritage building pursuant to a bylaw of another authority having jurisdiction; | heritage building |
| (g) "home-based business" means a business or service use that is located in a dwelling unit that is used or occupied as a home; | home-based
business |
| (h) "inspection" means an inspection by a building official, in order to ascertain whether the Act and these regulations have been complied with, | inspection |
| (i) of an ongoing or incomplete building construction, material of construction or building system, or | |
| (ii) of an existing or completed building, material of construction or building system; | |
| (i) "occupancy permit" means an occupancy permit referred to in section 8; | occupancy permit |

- (j) “prime consultant” means a professional engineer or architect licensed under an enactment to practice the person’s profession in the province who is designated by the owner as the person responsible for overseeing and coordinating the work of all design professionals or consultants involved in a project to ensure the overall plans and specifications meet the requirements of the Act and these regulations; prime consultant
- (k) “subcontractor” means a person who undertakes the work on a building construction project or any part of such a project under the direction of the constructor; subcontractor
- (l) “work” means any construction, duty or function of a constructor, subcontractor or tradesperson regulated by these regulations or the codes that is carried out on or about a construction site or on, in, or about a building or part of a building. work
- (2) In these regulations, “field review of construction” means, and is limited to, the inspection of construction work at intervals appropriate to the stage of construction at a project site and, where applicable, at a fabrication location where building components are fabricated for use at the project site, that a professional engineer or architect considers necessary to determine whether the work complies with the design drawings, and any revisions to them, approved by the authority having jurisdiction. field review of construction
- (3) For greater certainty, a field review of construction does not include the coordination of construction work and is not a guarantee of the quality or performance of construction. Not a guarantee

Division 2 - Codes Adopted

2. (1) The National Building Code of Canada, 2015, is hereby adopted, including all revisions, amendments and corrections made by the Canadian Commission on Building and Fire Codes, National Research Council of Canada, and with the modifications specified in Schedules A and B to these regulations, and forms part of these regulations. Building Code
- (2) The National Energy Code of Canada for Buildings, 2017, is hereby adopted, including all revisions, amendments and corrections made by the Canadian Commission on Building and Fire Codes, National Research Council of Canada, and forms part of these regulations. Energy Code

Division 3 - Application and Exemptions

3. (1) Any building or condition of a building that lawfully existed prior to the coming into force of these regulations is not required to conform to these regulations if, in the opinion of a building official of the authority having jurisdiction, the building or condition is not unsafe. Existing buildings
- (2) Work that was commenced but not completed pursuant to a permit in effect on the coming into force of these regulations is not required to conform to these regulations provided that the work complies with the terms of the permit and the provisions of the applicable enactment in force on the date that the permit was issued. Building permit under prior enactment
- (3) Where, on and after the date on which this section comes into force, a permit is issued for the alteration of a building or a part of a building, these regulations apply to the parts of the building that are altered. Alterations
- (4) Where, on and after the date this section comes into force, the whole or any part of a building is relocated within or moved into the area of an authority having jurisdiction, these regulations apply only to the parts of the building that are being altered or constructed as a result of the relocation or move. Relocation
- (5) Where, on and after the date this section comes into force, the whole or any part of a building is demolished, these regulations apply to the work involved in the demolition and to the work required to remedy deficiencies in or effect repairs to any parts of the building remaining after demolition. Demolition

(6) Where, on and after the date this section comes into force, a building is damaged by fire, earthquake or another cause, these regulations apply to the work necessary to reconstruct the damaged portion of the building and to bring any affected area of the building into compliance with the Act and these regulations.

Reconstruction

(7) The “Alternative Compliance Requirements for Existing Buildings”, as set out in Schedule B to these regulations, or a combination of those requirements and the Code, may be used for renovations to a building, including a heritage building, that existed prior to the coming into force of these regulations, except where a change of occupancy classification results in an occupancy with an increased fire hazard risk.

Alternative requirements

4. These regulations and the codes do not apply to

Exemptions

- (a) sewage, water, electrical, telephone, rail or similar systems located above, below or on an area of land which has been dedicated or deeded for public use;
- (b) public utility towers and poles, television and radio or other communication aerials and towers, except for loads resulting from those located on or attached to buildings;
- (c) flood control, dams for public water supply, hydroelectric dams and their related structures, not including buildings;
- (d) mechanical or other equipment and appliances not specifically regulated by the codes;
- (e) above-ground or below-ground bulk storage tanks not regulated under Part 6 of the Building Code or the National Farm Building Code of Canada, 1995, issued by the Canadian Commission on Building and Fire Codes, National Research Council of Canada;
- (f) a building that is within the scope of the National Farm Building Code of Canada, 1995, issued by the Canadian Commission on Building and Fire Codes, National Research Council of Canada;
- (g) free-standing signs;
- (h) fences;
- (i) retaining walls or exterior steps not attached to, and forming part of, a building's construction;
- (j) in respect of a building within the scope of Division B of Part 9 of the Building Code, interior and exterior non-structural material alterations and material repairs such as
 - (i) removing and replacing roofing with similar materials,
 - (ii) removing and replacing cladding with similar materials,
 - (iii) replacement or repair of drywall or other interior finish,
 - (iv) installation of additional insulation or replacement of insulation,
 - (v) replacement of a furnace or boiler,
 - (vi) installation or replacement of an air-conditioning unit or heat pump,
 - (vii) replacement of windows or doors, where there is no change in location or size of the window or door and the structural support for the opening is not affected,
 - (viii) installation or replacement of cabinets, shelving, millwork or flooring, and
 - (ix) waterproofing or damp-proofing of foundation walls or repair or replacement of foundation drainage;
- (k) a building used for a resource use as that term is defined in the Subdivision and Development Regulations (EC693/00) made under the *Planning Act* R.S.P.E.I. 1988, Cap. P-8, where the occupant load is expected to be not more than one person for each 40 square metres of floor area during normal use;
- (l) an accessory building not greater than 20 square meters in area;
- (m) a single-storey exterior wooden deck for residential use that is less than 600 millimetres above ground level and less than 55 square metres in area and does not support a roof;
- (n) a tent with a floor or ground area of less than 223 square metres that is erected for a temporary purpose;
- (o) in respect of a building within the scope of Division B of Part 3 of the Building Code, interior and exterior non-structural material repairs or maintenance with a monetary value of \$10,000 or less.

5. (1) A person shall apply for a permit to construct or renovate a dwelling unit for the purpose of accommodating a home-based business, or for a change of use for a home-based business, that would be subject to the Building Code. Home-based business
- (2) An applicant for a permit under subsection (1) shall provide the building official of the authority having jurisdiction with the plans, drawings and other information required by the building official in order to determine whether the proposed home-based business or the change of use of the home-based business will meet all of the following criteria: Required information
- (a) the business use of the dwelling unit, an accessory building to the dwelling unit, or both, is secondary to the residential occupancy use of the dwelling unit;
 - (b) at least one full-time resident of the dwelling unit where the home-based business will be located operates or will operate the business;
 - (c) the proposed home-based business will not be a high-hazard or medium-hazard industrial occupancy classified as Group F1 or Group F2 under the Building Code;
 - (d) the home-based business uses a total floor area of less than 50 square meters;
 - (e) the home-based business uses less than 25 per cent of the floor area of the dwelling unit.
- (3) Where the building official is satisfied that the applicant's proposed home-based business will meet all of the criteria specified in subsection (2), the building official shall issue a permit to the applicant that authorizes the proposed construction, renovation or change of use. Permit issued
- (4) An applicant to whom a permit is issued under subsection (3) shall not transfer the permit to any person. Permit not transferable
- (5) A proposed home-based business that meets all of the criteria specified in subsection (2) is not considered a separate and adjoining major occupancy from the dwelling unit for the purposes of the following provisions of the Building Code: Exemptions
- (a) the separation requirements in Article 3.1.3.1 of Part 3, Division B;
 - (b) the occupancy requirements in subsection 9.10.2 of Part 9, Division B.
- (6) Additional water closets are not required under Article 3.7.2.2 of Part 3, Division B, of the Building Code for a home-based business that meets the requirements of subsection (2) where Additional water closets
- (a) the home-based business is located within the dwelling unit; or
 - (b) the home-based business is located in an accessory building that is less than 45 meters from the dwelling unit.
- PART 2 - PERMITS**
- Division 1 - Permits
6. (1) In addition to the requirements of the Act, an applicant is required to obtain a permit in accordance with section 9 for all work regulated by the codes, including a change of occupancy or a change of use of a building. Permits
- (2) A building official of the authority having jurisdiction may place a value on the cost of the proposed work based on the accepted costing standard of the authority having jurisdiction for the purpose of determining the applicable permit fee. Determination of fees
- (3) Where the authority having jurisdiction is the Minister, the accepted costing standard is that set out in Schedule C to these regulations. Accepted costing standard - Minister
- (4) Where the authority having jurisdiction is the council of a municipality, the accepted costing standard is that established by the council for that municipality. Accepted costing standard - council
- (5) A building official of the authority having jurisdiction may withhold the issuance of a building permit until satisfied that a Where development permit required

development permit, where required, has been issued pursuant to the Subdivision and Development Regulations (EC693/00) under the *Planning Act* or a bylaw.

(6) Where a mobile or modular home has deteriorated, or has been modified structurally or otherwise, in such a way that it no longer meets the requirements of the CSA standard to which it was originally constructed, a building official

Modifications, deterioration to mobile or modular home

(a) may, if satisfied that despite the deterioration or modifications the mobile or modular home is safe for occupancy, issue a building permit in respect of it; or

(b) shall not, if, in the opinion of the building official, the mobile or modular home is in an unsafe condition, issue a building permit in respect of it except a permit to do the necessary work to remedy the unsafe condition, including but not limited to correcting

- (i) fire hazards,
- (ii) electrical hazards,
- (iii) structural deficiencies, or
- (iv) health hazards.

7. A building official of the authority having jurisdiction may accept a variation of not more than 2 per cent in a dimension specified in the codes where, in the opinion of the building official, safety will not be reduced and barrier-free design and access will not be adversely affected.

Dimensional tolerances

8. (1) Except as may be specifically exempted by these regulations, an occupancy permit is required

Occupancy permit

- (a) to allow the initial occupancy of a building or part of a building;
- (b) when the occupancy classification of a building or part of a building is changed; or
- (c) to allow partial demolition or alteration of a building while the building is still occupied.

(2) Where an owner requires occupancy to occur prior to the completion of all work, the owner shall

Occupancy prior to completion

- (a) apply for the occupancy permit and pay the applicable fee set out in Schedule C; and
- (b) ensure that no unsafe condition exists or will exist because of the work being undertaken or not completed.

(3) A building official may issue an occupancy permit prior to the completion of the work where the building official is satisfied that no unsafe condition exists or will exist because of the work being undertaken or not completed.

Issuance of permit

9. (1) An applicant for a permit shall

Required information

- (a) describe in detail the work and occupancy to be covered by the permit for which application is made;
- (b) identify the building lot by stating, where property mapping is available, the unique parcel identifier or PID for the lot, or provide a description that will permit the lot to be readily identified and located;
- (c) include the plans and specifications required by sections 2.2 and 2.3 of Division C of the Building Code, including a site plan, a foundation plan, a floor plan, a framing plan that includes the layout of floor and roof trusses, building elevations, a deck framing plan and cross-sections, as applicable;
- (d) state the valuation of the proposed work and the proposed start date;
- (e) state the names, addresses and telephone numbers of the owner, architect, professional engineer or other designer, the constructor and any inspection or testing agency that has been engaged to monitor the work or part of the work;
- (f) describe any special building systems, materials and appliances to be used in the work;
- (g) provide any further information required by a building official of the authority having jurisdiction for the purpose of evaluating the application; and
- (h) pay the fee required by the authority having jurisdiction.

(2) Where the application referred to in subsection (1) is in relation to a building or part of a building to which section 21 applies, the owner shall, in addition, submit

Requirements for section 21 building

- (a) professionally designed and stamped drawings or plans;
- (b) a Building Code design review prepared by the professional;
- (c) a letter of undertaking by the owner in the form approved by the Minister; and
- (d) the applicable declarations in the forms approved by the Minister from the professional responsible for the design and each professional involved in the design of the building,
 - (i) stating the professional's area of responsibility,
 - (ii) stating whether the professional's design meets or exceeds the requirements of the codes,
 - (iii) undertaking to ensure that any changes made to the design during the work follow the applicable requirements of the codes,
 - (iv) undertaking to inspect the work at appropriate intervals, and
 - (v) undertaking to provide confirmation at the end of the project that the work substantially complies with the design.

10. Subject to section 7, an owner shall not deviate, nor authorize a deviation by another person, from the requirements of the codes and these regulations, or the conditions of a permit, without first obtaining permission in writing to do so from a building official of the authority having jurisdiction.

Prohibition - deviation from codes

11. In addition to the requirements of subsection 9(1), an owner, if requested to do so by a building official of the authority having jurisdiction, shall submit an up-to-date plan of a lot survey or surveyor's location certificate, prepared by a land surveyor who is a member of the Association of Prince Edward Island Land Surveyors, containing sufficient information regarding the site and the proposed location of the building

Land survey or location certificate

- (a) to establish before work begins that the requirements of any enactment related to the site and the location of the building will be complied with; and
- (b) to verify, on completion of the work, compliance with the relevant enactments.

12. (1) The owner, owner's agent or constructor shall ensure that the prime consultant and other professionals involved in the work provide the authority having jurisdiction with the undertakings and declarations required by these regulations.

Responsibility

(2) The review or acceptance by a building official of the authority having jurisdiction of plans, drawings and specifications, any site inspections made by a building official or the granting of a permit by a building official does not in any way relieve the owner, owner's agent, constructor, prime consultant and other professionals involved in the work from their respective responsibilities for carrying out the work or having it carried out in accordance with these regulations, the permit and the codes, including ensuring that the occupancy of the building, or any part of it, is in accordance with the terms of the permit.

Responsibility continues

13. A building official of the authority having jurisdiction may require an owner to have a building site graded to conform to any storm water management or drainage plan in force in the area in which the building site is located.

Site grading

14. (1) A building official of the authority having jurisdiction may give permission to an owner to proceed with excavation or construction of part of a building before the plans of the entire building have been submitted, and may impose conditions that, in the opinion of the building official, are necessary to ensure compliance with these regulations and the codes.

Permission to proceed in part

(2) A building official may give permission to an owner to proceed with excavation or construction of part of a building under subsection (1) on receipt of all plans and specifications that are required by the building official in connection with the excavation or construction.

Requirements

(3) Permission to proceed with the partial excavation or partial construction of a building in accordance with this section is not and shall not be construed to be assurance that a building official will issue a permit for any other work on the project or for the project as a whole. Effect of permission

(4) An owner When work completed
 (a) shall notify the building official in accordance with section 24 when the work authorized under subsection (1) has been completed; and
 (b) shall not proceed with any further work until a permit has been issued for that further work.

15. (1) A building official may, in circumstances that in the opinion of the building official warrant only selective compliance with the codes, issue a permit that authorizes specified exemptions from the requirements of the codes relating to Temporary building or occupancy

- (a) the erection and existence of a temporary building, or part of a temporary building; or
- (b) a temporary change of occupancy classification for an occupancy which, because of its nature, will exist for a short time.

(2) A permit for a temporary building or temporary change of occupancy classification shall state the date after which and the conditions under which the permit is no longer valid. Expiry

(3) On application, a building official of the authority having jurisdiction may in writing extend a permit for a temporary building or part of a temporary building or a temporary change of occupancy classification. Extension

(4) A permit for a temporary building or temporary change of occupancy classification shall be posted on the building. Posting of permit

16. (1) A building official may issue a building permit that is conditional on the submission of additional information not available at the time of application, where the building official is of the opinion that information is of such a nature that withholding the permit until the information becomes available would be unreasonable. Conditional building permit

(2) A building official may issue an occupancy permit that is conditional on the completion of work that is incomplete at the time of inspection or application, where the building official is of the opinion that that no unsafe condition exists and that withholding the permit would be unreasonable. Conditional occupancy permit

Division 2 - Responsibilities and Obligations

17. An owner shall ensure that all required permits or approvals are obtained prior to commencing the work to which they relate. Required permits

18. An owner or a constructor shall give notice to a building official of a change to the date on which the owner has stated that work will begin prior to commencing the work on the building site. Start-up date

19. (1) An owner or a constructor shall give notice in writing to a building official of the authority having jurisdiction that includes Notice by owner
 (a) prior to commencing the work, the name, address and telephone number of
 (i) the constructor or other person in charge of the work,
 (ii) the prime consultant and other professionals who will review aspects of the work, and
 (iii) any inspection or testing agency engaged to monitor the work or part of the work; and
 (b) any change in or termination of employment of a person about whom notice was given under clause (a) during the course of the construction, as soon as practicable but not later than 3 days following the change or termination.

(2) An owner or a constructor shall give notice in writing to a building official of the authority having jurisdiction Notice of changes

- (a) as soon as any change in ownership or change in the address of the owner occurs prior to the issuance of an occupancy permit; and
- (b) prior to occupying the building, or any portion of the building, if it is to be occupied in stages.
- 20.** An owner or a constructor shall ensure that any plans, specifications and related documents on which the issuance of a permit was based are available at the site of the work for inspection during working hours by a building official of the authority having jurisdiction, and that the permit, or a true copy of it, is posted conspicuously on the site during the entire execution of the work. Plans at site
- 21.** An owner who undertakes to construct or have constructed a building or part of a building to which Part 3 or Part 4 of Division B of the Building Code applies, or a building over 300 square metres in building area to which Part 9 of Division B of the Building Code applies, shall Owner's responsibility
- (a) consult an architect and professional engineers to determine which professionals are appropriate for the work; and
- (b) ensure that the appropriate professionals are appointed to undertake the design of the building or part of it.
- 22.** Where the dimensions of a structural component of a building are not provided in Part 9 of the Building Code for use in a building to which that Part applies, and the dimensions are to be determined on the basis of calculation, testing or another means of evaluation, the owner shall Design requirements for structural components
- (a) ensure that a professional engineer is engaged to undertake the design of the structural component; and
- (b) when required to do so by a building official, provide an undertaking in the form approved by the Minister that the structural component will be designed in accordance with the applicable requirements of the Building Code.
- 23.** Where, in the opinion of a building official of the authority having jurisdiction, the site conditions or the size or complexity of a building, part of a building or building component warrant, the building official may require the owner to provide an undertaking in the form approved by the Minister that Site conditions, size, or complexity requiring professional design and inspection
- (a) the owner shall engage the appropriate professionals to design the building, part of the building or component in accordance with the applicable provisions of the Building Code; and
- (b) the professionals referred to in clause (a) shall provide the declarations respecting field reviews of construction that the building official considers necessary.
- 24.** Where a building is required or intended to be equipped with a sprinkler system, the owner shall Design requirements for building equipped with sprinkler system
- (a) ensure that a professional engineer is engaged to undertake the design of the sprinkler system; and
- (b) provide an undertaking in the form required by the Minister that the sprinkler system shall be designed in accordance with the Building Code.
- Division 3 - Inspections**
- 25.** (1) The owner of a building being constructed under the scope of Part 9 of the Building Code, other than a modular or manufactured home referred to in section 26, shall notify a building official of the authority having jurisdiction who shall, at a minimum, carry out inspections for compliance with the Building Code at the following stages of construction: Notification for inspection
- (a) footings and foundation, before commencing backfilling of the laterally supported foundation, and before a superstructure is placed on the foundation;
- (b) framing and building envelope, including insulation and vapour barrier, before the wall framing is covered;
- (c) before the final completion of the work.
- (2) For greater certainty, subsection (1) applies to a building referred to in section 22 or 23. Application

- (3) The owner shall notify the building official in accordance with subsection (1)
- Timing of notification
- (a) for the purposes of clauses (1)(a) and (b), not less than three days prior to completion of the stage of construction to be inspected; and
- (b) for the purpose of clause (1)(c), not less than three days prior to the final completion of the work.
- (4) For the purposes of subsection 14(3) of the Act, the period of time within which a building official shall carry out an inspection is three days.
- Timing of inspection
- 26.** (1) Modular homes and manufactured homes are
- Modular and manufactured homes
- (a) subject to the inspections required by subsection (2); and
- (b) exempt from inspection in respect of the work certified at the factory as complying with CSA Z240 MH Series “Manufactured Homes” or certified to CSA Standard A277 “Procedures for the Factory Certification of Buildings”, as applicable.
- (2) Modular homes and manufactured homes referred to in subsection (1) are subject to inspection prior to occupancy and
- Required inspections
- (a) in the case of a manufactured home, at the stages of site preparation, foundation, installation and anchorage in accordance with CSA Z240.21-09 “Structural Preparation, Foundation, and Anchorage of Manufactured Homes”; and
- (b) in the case of a modular home, at the stages of site preparation, foundations for single and multiple-section single storey units, anchorage, connection of multiple-section units and skirting.
- 27.** The owner or constructor of a building or part of a building that has been professionally designed shall notify a building official of the authority having jurisdiction
- Inspection of professionally designed building
- (a) for the purpose of inspections during the work, in accordance with the conditions of the permit; and
- (b) when work has been completed, for the purpose of a final inspection prior to occupancy.
- 28.** An owner is responsible for the cost of repair of any damage to public property or public works located on public property that occurs as a result of the owner’s undertaking work for which a permit was or was not required.
- Repairs to public property
- 29.** An owner who is unable to continue or complete work for any reason is responsible, before finally discontinuing the work, for ensuring that no unsafe condition remains at the site.
- Discontinuation of work
- 30.** An architect or professional engineer who undertakes to design a building or part of a building shall ensure that the design meets the requirements of the codes.
- Design
- 31.** An architect or professional engineer who undertakes a field review of construction shall
- Review by professional
- (a) review the work at intervals appropriate to the stage of construction to determine compliance with the design referred to in section 30;
- (b) coordinate with the building official of the authority having jurisdiction the review of any changes to the design documents for consistency with the intent of the plans and specifications; and
- (c) when the architect or professional engineer is satisfied that the work substantially complies with the design drawings, promptly file with the building official a written confirmation in the form approved by the Minister.
- 32.** A constructor is responsible for ensuring that no excavation or other work is undertaken on public property, and that no building is erected or materials stored in whole or in part on public property, without approval having first been obtained in writing from the appropriate government authority.
- Work on public property
- 33.** (1) A constructor is responsible jointly and severally with the owner for all and any work undertaken.
- Responsibilities for the work undertaken

(2) A constructor who is unable to continue work for any reason is responsible, before leaving the site of the work, for ensuring that no unsafe condition remains at the site.

Discontinuance by constructor

34. Where the work for which a permit is issued is not under the control of a constructor, the owner is deemed to be the constructor with respect to that work, and the responsibilities and obligations assigned to a constructor by these regulations and the codes apply to the owner.

Owner deemed to be constructor

35. (1) A constructor shall ensure that all materials, systems and equipment used in the construction, alteration, reconstruction or renovation of a building meet the requirements of the codes for the work undertaken.

Materials, systems to comply with codes

(2) A constructor shall, at the completion of the work, fill out and provide to the building official and to the owner the certificate of compliance portion of the building permit that was issued for the work.

Certificate of compliance

PART 3 - BUILDING OFFICIALS

Division 1 - Qualifications of Building Officials

36. The following levels of authorization for the appointment of building officials are established:

Level of authorization

- (a) Residential Level, which entitles the holder to
 - (i) complete plan reviews and inspections in respect of buildings that are single- and two-family dwellings under 600 square metres, including buildings accessory to the dwellings that are within the scope of Part 9 of the Building Code, and
 - (ii) take any action that a building official is authorized by the Act to take in respect of those dwellings;
- (b) Level I, which entitles the holder to
 - (i) complete plan reviews and inspections in respect of buildings that are within the scope of Part 9 of the Building Code, and
 - (ii) take any action that a building official is authorized by the Act to take in respect of buildings that are within the scope of Part 9 of the Building Code;
- (c) Level II, which entitles the holder to
 - (i) complete plan reviews and inspections in respect of any building that is within the scope of the Building Code, and
 - (ii) take any action that a building official is authorized by the Act to take in respect of any building that is within the scope of the Building Code.

37. (1) An applicant for an appointment as a Residential Level building official shall provide proof satisfactory to the Minister that the applicant holds

Residential level appointment

- (a) an Associate Residential Diploma issued by the Alliance of Canadian Building Officials Association; or
- (b) a residential level qualification that the Minister considers substantially equivalent to the diploma referred to in clause (a) issued by a provincial association that is a member of the Alliance of Canadian Building Officials Association.

(2) An applicant for an appointment as a Level I building official shall provide proof satisfactory to the Minister that the applicant

Level I appointment

- (a) holds
 - (i) an Associate Part 9 Diploma issued by the Alliance of Canadian Building Officials Association, or
 - (ii) a Level I qualification that the Minister considers substantially equivalent to the diploma referred to in clause (a) issued by a provincial association that is a member of the Alliance of Canadian Building Officials Association; or
- (b) has been employed to inspect pursuant to and enforce Part 9 of the National Building Code of Canada for at least 6 years out of the past 8 years.

(3) An applicant for an appointment as a Level II building official shall provide proof satisfactory to the Minister that the applicant

Level II appointment

- (a) holds

- (i) an Associate Part 3 Diploma issued by the Alliance of Canadian Building Officials Association, or
- (ii) a Level II qualification that the Minister considers substantially equivalent to the diploma referred to in clause (a) that is issued by a provincial association that is a member of the Alliance of Canadian Building Officials Association; or
- (b) has been employed to inspect pursuant to and enforce Part 3 of the National Building Code of Canada for at least 8 years out of the past 10 years.
- 38.** (1) Notwithstanding the qualification requirements specified in section 37, the Minister may confirm the appointment, and specify the appropriate level, of a person who was appointed by an authority having jurisdiction as a building official before these regulations came into force, on receipt of
- (a) a written request from the authority having jurisdiction that made the appointment; and
- (b) satisfactory evidence of the person's appointment, identity and qualifications.
- (2) Notwithstanding the qualification requirements specified in subsection 37(3), the Minister may, on receipt of a written request from the authority having jurisdiction, appoint a professional engineer or architect employed by the authority having jurisdiction as a Level II building official.
- (3) The appointment of a building official under this section terminates on the earlier of
- (a) the termination of the building official's employment with the authority having jurisdiction; and
- (b) the date that the appointment is terminated in writing by the Minister.
- Division 2 - Administrative Provisions
- 39.** The authority having jurisdiction shall keep copies of all applications received, permits and orders issued, inspections and tests made and all records and documents connected with the administration of these regulations.
- 40.** (1) A building official of the authority having jurisdiction shall issue, in writing, any notice or order necessary to inform an owner that a contravention of these regulations has been observed.
- (2) The building official who issues a notice or order referred to in subsection (1) may specify in the notice or order any remedial or other measures that are required to remedy the contravention, and shall specify the time within which the measures shall be taken.
- (3) Where a building official of the authority having jurisdiction issues a notice or order referred to in subsection (1), a copy shall be retained by the building official and a copy shall be sent to
- (a) the owner, by regular mail, at the address given on the permit application;
- (b) the architect or professional engineer, by regular mail, at the address given on the permit application; and
- (c) the constructor, by regular mail, at the address given on the permit application.
- (4) If the constructor is present during the inspection, the building official may give the notice or order to the constructor personally.
- (5) In addition to the requirements of subsection (3),
- (a) where the order is a stop work order, the building official shall post it in a conspicuous place on the work site; and
- (b) where the notice is a non-compliance notice, the building official may post it in a conspicuous place on the work site.
- 41.** A building official shall answer any reasonable and relevant questions with respect to the provisions of these regulations and the codes when requested to do so, but shall not
- (a) assist in the laying out of any work; or

Appointment for
previously
appointed building
official

Appointment of
professional

Termination of
appointment

Copies of
applications,
inspections, and
tests

Notices and orders

Remedial measures

Service of notice or
order

Service on
constructor

Additional
requirements

Duty of building
official

- (b) act in the capacity of a designer.
- 42.** (1) A building official may direct an owner to make or have made tests of materials, equipment, devices, construction methods, structural assemblies or foundation conditions, at the owner's expense, and to submit the results to the building official in order to establish whether the material, equipment, device, construction or foundation condition meets the requirements of these regulations and the codes. Direction for tests
- (2) An owner shall comply with the direction of a building official referred to in subsection (1). Compliance required
- 43.** Where any failure occurs during the work which causes or has the potential to cause injury or loss of life, a building official may require the owner or constructor to submit a report stating the nature and details of the failure. Reports regarding failure or potential failure
- 44.** (1) An application for a permit that was commenced but not completed prior to the coming into force of these regulations is deemed to be an application for the purposes of these regulations but may be dealt with by a building official of the authority having jurisdiction in accordance with the edition of the Building Code that was in force at the time the application was commenced, if different from that adopted under subsection 2(1). Transitional matters - application
- (2) These regulations do not apply to work Exemption
- (a) in respect of which a development permit, as authorized by the *Planning Act* Subdivision and Development Regulations (EC693/00), or a bylaw, was issued prior to the date on which these regulations come into force; and
- (b) that was commenced on or before the date on which these regulations come into force.
- (3) The Act and these regulations do not apply to the following matters in respect of a building that is a single-family or semi-detached home, and to an accessory structure of that building, such as a deck, shed or detached garage, until the date that is one year after the date on which these regulations come into force: One-year exception - single-family homes, etc.
- (a) design, construction, erection, placement, use and occupancy of a new building;
- (b) alteration, demolition, removal and relocation of an existing building;
- (c) changes to the use and occupancy of an existing building;
- (d) work necessary to correct unsafe conditions in an existing building.
- 45.** The Schedules to these regulations are hereby adopted and form part of these regulations. Schedules adopted
- 46.** The Barrier-free Design Regulations (EC139/95) and the Thermal Insulation Regulations (EC550/76) made under the former Act are revoked. Revocations
- 47.** These regulations come into force on March 31, 2020. Commencement

SCHEDULE A

Amendments Made to Parts 1 through 9 inclusive of the Building Code

1. The definition of "owner" in Section 1.4 (Part 1, Division A, Volume 1), of the National Building Code of Canada, 2015, is revoked.

SCHEDULE B**Alternative Compliance Requirements for Existing Buildings
(Subsection 3(7))**

The Alternative Compliance Requirements in this Schedule may be used instead of, or in combination with, the requirements of the Building Code for renovations to a building that existed prior to the coming into force of these regulations, except for renovations where a change of occupancy classification results in an occupancy with an increased fire hazard risk.

No.	Code Requirement	Alternative Requirement
1	Fire Separations 3.1.3.1. (Part 3, Division B) and Table 3.1.3.1. (Part 3, Division B); 9.10.9. (Part 9, Division B) 2 h fire separation required between some major occupancies.	Fire Separations Except for F1 occupancies, 1 h fire separation is acceptable, if the building is fully sprinklered.
2	Fire Separations 3.1.3. (Part 3, Division B) and Table 3.1.3.1. (Part 3, Division B); 9.10.9. (Part 9, Division B) 1 h fire separation required between some major occupancies.	Fire Separations ½ h fire separation is acceptable if the building is fully sprinklered.
3	Non-combustible Construction 3.1.5. (Part 3, Division B) and 9.10.6.1. (Part 9, Division B) All materials used in non-combustible construction must be non-combustible unless otherwise permitted.	Non-combustible Construction 1. Roofs may be of combustible construction provided the building is fully sprinklered. 2. Up to 10% gross floor area to a maximum of 10% of any one floor area may be of combustible construction provided the building is fully sprinklered.
4	Fire-resistance Rating 3.1.7.1.(1) (Part 3, Division B); 9.10.3.1. (Part 9, Division B) Where a material, assembly of materials or structural member is required to have a fire resistance rating it shall be tested in accordance with CAN/ULC-S101.	A fire-resistance rating may also be used based on: 1. HUD No. 8 Guideline on Fire Ratings of Archaic Materials and Assemblies. 2. Fire Endurance of Protected Steel Columns and Beams, DBR Technical Paper No. 194. 3. Fire Endurance of Unit Masonry Walls, DBR Technical Paper No. 207. 4. Fire Endurance of Light-Framed and Miscellaneous Assemblies, DBR Technical Paper No. 222.
5	Rating of Supporting Construction 3.1.7.5. (Part 3, Division B); 9.10.8.3. (Part 9, Division B) Supporting assemblies to have fire resistance rating at least equivalent to that of the supported floor.	Rating of Supporting Construction Supporting assemblies that use heavy timber construction are permitted to have a fire resistance rating less than would be required by the Code provided the building: (a) is fully sprinklered; and (b) does not exceed 5 stories in building height.
6	Continuity of Fire Separations 3.1.8.3.(1) and (2) (Part 3, Division B); 9.10.9.2. (Part 9, Division B) Fire separations are required to be continuous above the ceiling space.	Continuity of Fire Separations Fire separations are not required to be continuous above the ceiling space where (a) the ceiling space is non-combustible construction; (b) both fire compartments are sprinklered; or (c) the ceiling has a minimum fire resistance rating of 30 minutes.
7	Wired Glass 3.1.8.5.(1) (Part 3, Division B) and 3.1.8.16.(Part 3, Division B); 9.10.13.1. (Part 9, Division B) and 9.10.13.5. (Part 9, Division B) 6 mm wired glass in steel frame required in fire separations.	Wired Glass For fixed transoms or sidelights, 6 mm wired glass fixed to a wood frame of at least 50 mm thickness with steel stops is permitted in a required fire separation.
8	Mezzanines 3.2.1.1.(3) to (6) (Part 3, Division B); 9.10.4.1. (Part 9, Division B) Mezzanines enclosing more than 10% above the horizontal plane are considered a storey in building height.	Mezzanines Mezzanines may enclose up to 20% above the horizontal plane and not be considered a storey in building height if the building is fully sprinklered.

9	<p>Spatial Separation 3.2.3. (Part 3, Division B); 9.10.14. (Part 9, Division B) The maximum area of unprotected openings.</p>	<p>Spatial Separation The area of unprotected opening is not limited provided: (a) the exterior walls have a interior thermo barrier of 12.7 mm, thick gypsum board or lath and plaster in good condition; (b) the limiting distance is a minimum 1 m; (c) the entire building has a supervised sprinkler system in conformance with Sentence 3.2.4.9.(2),(Part 3, Division B); and (d) the sprinkler system is connected to the fire department in conformance with Sentence 3.2.4.7.(4). (Part 3, Division B).</p>
10	<p>Construction of Exposing Building Face 3.2.3.7. (Part 3, Division B); 9.10.14.5. and 9.10.15.5. (Part 9, Division B) The exposing building face is required to have a fire resistance rating and/or be of non-combustible construction.</p>	<p>Construction of Exposing Building Face Exposing building face is not required to have a fire resistance rating if the building is fully sprinklered. Also, the exposing building face is not required to be of non-combustible construction if it is protected by an exterior sprinkler system conforming to NFPA 13 and has a thermo barrier as specified in No.9(a) of these compliance tables.</p>
11	<p>Roof Covering Rating 3.1.15.2. (Part 3, Division B) Class A, B or C roof covering in conformance with CAN/ULC-S107 required.</p>	<p>Roof Covering Rating For existing roofs not covered by a Class A, B or C roofing a manually operated deluge system in accordance with NFPA 13 is permitted.</p>
12	<p>Interconnected Floor Space 3.2.8. (Part 3, Division B); 9.10.1.3(6) (Part 9, Division B) Openings that are not protected by shafts or closures shall be protected in conformance with section 3.2. (Part 3, Division B) or Sentence 9.10.1.3(6) (Part 9, Division B)</p>	<p>Interconnected Floor Space An open stair in buildings of maximum 3 stories in building height need not comply with Subsection 3.2.8. (Part 3, Division B) provided: (a) it is not a required exit stair; (b) the building contains a Group C or D occupancy; (c) the building is fully sprinklered with fast response sprinklers; (d) corridors opening into the interconnected floor space are separated from the interconnected floor space by a fire separation with the rating required for the corridor; and (e) smoke detectors are installed in the rooms opening into the interconnected floor space.</p>
13	<p>Separation of Suites 3.3.1.1. (Part 3, Division B); 9.10.9.13. and 9.10.9.14. (Part 9, Division B), Suites are required to be separated from adjoining suites by 3/4 h or 1 h rated fire separations.</p>	<p>Separation of Suites Existing ½ h fire separations are acceptable in fully sprinklered buildings not exceeding 5 stories in building height.</p>
14	<p>Corridor Fire Separation 3.3.1.4. (Part 3, Division B); 9.10.9.15. (Part 9, Division B) Public corridors are required to be separated from the remainder of the building by a fire separation having a fire resistance rating of at least 3/4 h.</p>	<p>Corridor Fire Separation Existing corridors with ½ h fire resistance ratings, are acceptable in residential occupancies provided the building: (a) does not exceed 5 stories in building height; and (b) is fully sprinklered with fast response sprinklers.</p>
15	<p>Corridor Width 3.3.1.9. and 3.4.3.1. (Part 3, Division B) ; 9.9.3.3. (Part 9, Division B) Public corridors and exit corridors are permitted to have a minimum width of 1100 mm.</p>	<p>Corridor Width Public corridors and exit corridors are permitted with a minimum width of 800 mm provided: (a) the occupant load of the building is maximum 20 people; and (b) the building does not exceed 3 stories in building height.</p>
16	<p>Door Swing 3.3.1.11. and 3.4.6.12(Part 3, Division B) ; 9.9.6.5. (Part 9, Division B) Doors required to swing in the direction of exit travel.</p>	<p>Door Swing 2nd egress door from a room is not required to swing in the direction of exit travel provided: (a) the building is fully sprinklered and the sprinkler system is supervised in conformance with Sentence 3.2.4.9.(2), (Part 3, Division B); and (b) the occupant load of the building is maximum 100 people.</p>
17	<p>Stairs, Ramps, Handrails and Guards 3.3.1.14., 3.3.1.16., 3.3.1.18., 3.4.6.5 to 3.4.6.9 (Part 3, Division B); 9.8. (Part 9, Division B)</p>	<p>Stairs, Ramps, Handrails and Guards 3.3.1.14., 3.3.1.16., 3.3.1.18., 3.4.6.1. to 3.4.6.9 (Part 3, Division B); 9.8. (Part 9, Division B)</p>
18	<p>Transparent Doors and Panels 3.3.1.19. (Part 3, Division B); 9.6.1.4. (Part 9, Division B) Glass in doors and sidelights is required to be protected by guards and to be safety glass.</p>	<p>Transparent Doors and Panels Existing glass or transparent panels that do not comply fully with the requirements are permitted if it is sufficiently discernible or guards are provided in hazardous situations.</p>

19	<p>Dead-end Corridors 3.3.1.9.(7) (Part 3, Division B); 9.9.7.3. (Part 9, Division B) Dead-end corridors are permitted to a maximum length of 6 m.</p>	<p>Dead-end Corridors 1. Dead-end corridors are permitted to a maximum length of 10 m in Group C occupancies provided: (a) the building is fully sprinklered with fast response sprinklers; and (b) smoke detectors are installed in the corridor system. 2. Dead-end corridors are permitted to a maximum of 15 m in length in Group D, E, F2 and F3 occupancies provided: (a) the building is fully sprinklered with fast response sprinklers; and (b) smoke detectors are installed in the corridor system.</p>
20	<p>Exits 3.4.2.1. (Part 3, Division B); 9.9.8.2. (Part 9, Division B) Floor areas shall be served by not fewer than 2 exits except as permitted by 3.4.2.1.(2) (Part 3, Division B).</p>	<p>Exits Floor areas may be served by a single exit within the limits of 3.4.2.1.(2) (Part 3, Division B) provided: (a) the building does not exceed 3 stories in building height; (b) the building is fully sprinklered with fast response sprinklers; and (c) the building contains an approved fire alarm system with smoke detectors located in accordance with Sentence 3.2.4.11 (Part 3, Division B).</p>
21	<p>Reduction of Exit Width 3.4.3.3(2) (Part 3, Division B); 9.9.6.1. (Part 9, Division B) Swinging doors in their swing shall not reduce the effective width of exit stairs and landings to less than 750 mm.</p>	<p>Reduction of Exit Width Existing swinging doors in their swing are permitted to reduce the effective width of exit stairs and landings to a minimum of 550 mm provided: (a) they serve Group C or D occupancies; (b) the building does not exceed 5 stories in building height; and (c) the building is fully sprinklered.</p>
22	<p>Fire Separation of Exits 3.4.4.1. (Part 3, Division B); 9.9.4. (Part 9, Division B) Exits are required to be separated from the remainder of the floor area by a fire separation having a fire-resistance rating of not less than 3/4 h.</p>	<p>Fire Separation of Exits 1. Existing fire separations of 1/2 h are acceptable provided the building is fully sprinklered with fast response sprinklers and does not exceed 3 stories in building height. 2. Buildings not exceeding 5 stories in building height may have exits that are separated by a 3/4 h fire separation provided the building is fully sprinklered.</p>
23	<p>Exits Through Lobbies 3.4.4.2. (Part 3, Division B); 9.9.8.5. (Part 9, Division B) Rooms adjacent to the lobby are required to be separated by a fire separation.</p>	<p>Exits Through Lobbies Rooms adjacent to the lobby are not required to be separated by a fire separation provided: (a) the floor area is sprinklered with fast response sprinklers; and (b) smoke detectors are installed in the adjacent rooms.</p>
24	<p>Rooms Opening into an Exit 3.4.4.4.(7) and (8) (Part 3, Division B); 9.9.5.9. (Part 9, Division B) Service rooms and ancillary rooms are not permitted to open directly into an exit.</p>	<p>Rooms Opening into an Exit Service rooms and ancillary rooms may open directly into an exit provided: (a) the building is fully sprinklered; (b) the room is sprinklered with fast response sprinklers; (c) the door assembly has a fire protection rating of at least 20 min.; (d) the building does not exceed 3 stories in building height; and (e) weather stripping is installed on the door to prevent the passage of smoke.</p>
25	<p>Illumination of Exit Signs 3.4.5.1.(3) (Part 3, Division B); 9.9.11.3(3) (Part 9, Division B) Exit signs are required to be illuminated continuously while the building is occupied.</p>	<p>Illumination of Exit Signs In provincial or municipal designated heritage buildings where exit signage may compromise historic appearances, or authenticity of displays, exit signs may be installed to light only in an emergency condition, such as by the activation of the fire alarm system or due to power failure.</p>
26	<p>Clearance from Exit Doors 3.4.6.11 (1) (Part 3, Division B); 9.9.6.6. (Part 9, Division B) Stair risers shall not be closer than 300 mm from an exit door.</p>	<p>Clearance from Exit Doors Except as permitted in Sentences 3.4.6.11(3) or 9.9.6.6(2), existing exit doors shall not extend beyond the first riser.</p>
27	<p>Fire Escapes 3.4.7. (Part 3, Division B); 9.9.2.1. (Part 9, Division B) Fire escapes are required to conform to Article 3.4.7. (Part 3, Division B).</p>	<p>Fire Escapes Existing fire escapes that do not completely conform to Article 3.4.7.1. are acceptable provided: (a) they are acceptable to the authority having jurisdiction; and (b) the building is fully sprinklered.</p>

28	Fire Escape Construction 3.4.7.2. (Part 3, Division B); 9.9.2.1. (Part 9, Division B)	Fire Escape Construction Existing combustible fire escapes are permitted if the building is permitted to be of combustible construction by Part 3, (Part 3, Division B) Part 9 (Part 9, Division B) or by these compliance tables.
29	Protection of Fire Escapes 3.4.7.4. (Part 3, Division B); 9.9.4.4 (Part 9, Division B) Openings in the exterior wall adjacent to the fire escape are required to be protected by closures.	Protection of Fire Escapes Existing openings in the exterior wall adjacent to the fire escape are not required to be protected by closures provided: <ul style="list-style-type: none"> (a) the building is fully sprinklered; and (b) a sprinkler head is located within 1.5 m of the opening required to be protected by Article 3.4.7.4. (Part 3, Division B).
30	Vertical Service Space 3.6.3.1. (Part 3, Division B) Vertical service spaces are required to be separated from the adjacent floor area by a rated fire separation.	Vertical Service Space Existing vertical service spaces that do not completely conform to the rated fire separation requirements are acceptable provided the building is fully sprinklered.
31	Height and Area of Rooms 3.7.1. (Part 3, Division B); 9.5. (Part 9, Division B) The height and area of rooms are required to comply with minimum dimension requirements.	Height and Area of Rooms Existing rooms are not required to comply with the minimum dimension requirements of Subsection 3.6.1. (Part 3, Division B) or Section 9.5. (Part 9, Division B).
32	Window Areas 9.9.10. (Part 9, Division B) Windows in dwelling units are required to comply with minimum dimensions.	Window Areas Existing windows are not required to comply with the minimum dimensions of Article 9.9.10. (Part 9, Division B).
33	Washrooms Required to be Barrier-Free 3.8.2.8.(1) Code Except as permitted by Sentence (2), a washroom in a storey to which a barrier-free path of travel is required in accordance with Article 3.8.2.1., shall be barrier-free in accordance with the appropriate requirements in Articles 3.8.3.8. to 3.8.3.17. Code.	Washrooms Required to be Barrier-Free Except in Assembly occupancies and Group D Business and personal services occupancies intended to offer medical or therapeutic services, a barrier free washroom need not be provided in an existing building with a building area less than 120 m ² .
34	Entrances 3.8.2.2.(1) Code (1) In addition to the barrier-free entrances required by Sentence (2), not less than 50% of the pedestrian entrances of a building referred to in Sentence 3.8.2.1.(1) shall be barrier-free and shall lead from <ul style="list-style-type: none"> (a) the outdoors at sidewalk level, or (b) [a] ramp that conforms to Article 3.8.3.5. and leads from a sidewalk. 	Entrances Where an existing building has <ul style="list-style-type: none"> (a) a building area less than 120 m², (1292 sq. ft.); (b) the slope from the entrance level floor at the entrance door to a street or public way is greater than 1 in 10; (c) no entrance is more than 1 m to the property line; and (d) no alternate access to an entrance from a street or public way is possible; the owner may use a stair with <ul style="list-style-type: none"> (a) a maximum rise of 150 mm (6"); (b) a minimum run of 280 mm (11"); (c) tactile landings; (d) contrasting colour nosings; and (e) an unobstructed width of 1 m.
35	Mechanical Systems Part 6 and Part 7 of Division B	Mechanical Systems Existing mechanical systems in buildings are not required to fully comply with the requirements of Parts 6 or 7 provided: <ul style="list-style-type: none"> (a) the existing mechanical system is not in an unsafe condition; and (b) it is acceptable to the authority having jurisdiction.

**SCHEDULE C
PERMIT FEES**

In this Schedule, "Value of Construction" or "VOC" means the total cost to the owner for the building construction in its completed form and includes the cost of design fees, building work, materials of construction, building systems, labour and overhead, and profit of the contractor and subcontractors.

Table 1

RESIDENTIAL BUILDING PERMIT FEES

PROJECT TYPE	PERMIT FEE	Size (m ²)
New Dwelling (building Area up to 139 m ²) (includes attached garage and deck review) (Additional \$160 per each additional 50 m ²)	\$ 960	up to 139
	1,120	140-189
	1,280	190-239
	1,440	240-289
	1,600	290-339
	1,760	340-389
	1,920	390-439
	2,080	440-489
	2,240	490-539
	2,400	540-589
Addition of Living Quarters	\$ 640	NA
Attached Garage (insulated)	480	
Attached Garage (not insulated)	320	
Detached Garage (insulated)	320	
Detached Garage (not insulated)	160	
Renovation (structural or egress)	320	
Basement Development/Secondary Suite	320	NA
Deck (not covered or enclosed)	160	
Foundation Replacement	480	
Modular/Manufactured Home	480	

The fees listed above include the cost of plan review and the inspections specified in section 25 or listed on the building permit.

An inspection fee of \$160 per inspection will be charged where additional inspections are required to determine whether deficiencies ordered to be corrected by a building official have been corrected in a manner acceptable to the building official.

Table 2

PERMIT TYPE	PERMIT FEE
Occupancy Permit for a project listed in Table 1	\$ 25

FEES FOR ALL OTHER PROJECTS

If the Value of Construction (VOC) is more than \$200,000, the permit fee is equal to \$4.50 per each \$1000 of the VOC

If the VOC is less than or equal to \$200,000, the following minimum fees apply:

Table 3

PROJECT TYPE	PERMIT FEE
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Principal Building (building Area over 20 m ² / 215 ft ²)	\$ 900
Addition	720
Renovation	540
Leasehold Improvements	540
Accessory Building (insulated)	540
Accessory Building (not insulated)	360
Barrier-Free Ramp	360

EXPLANATORY NOTES

SECTION 1 establishes definitions for the purposes of the regulations.

SECTION 2 formally adopts the Building Code and the Energy Code. Certain modifications to the Building Code are specified in Schedules A and B to the regulations.

SECTION 3 establishes the application of the regulations to existing buildings, work that was commenced but not completed on the coming into force of the regulations, and other matters, as specified.

SECTION 4 lists exemptions from the regulations.

SECTION 5 requires a person to obtain a building permit for the construction or renovation of a dwelling unit to accommodate a home-based business, and specifies the criteria applicable to the project.

SECTION 6 provides that a building permit is required for all work regulated by the codes, provides for the calculation of fees, and establishes that where a development permit is required for a project, the building permit may be withheld until the development permit has been issued. The section also provides some specific rules respecting building permits for mobile or modular homes.

SECTION 7 authorizes a building official to accept a variation of not more than 2 per cent in the dimensions specified in the codes in the specified circumstances.

SECTION 8 specifies the circumstances in which an occupancy permit is required, and the responsibilities of the owner and the building official where the permit is issued.

SECTION 9 specifies the information to be provided in an application for a permit.

SECTION 10 prohibits an owner from deviating, or allowing another person to deviate, from the requirements of the codes, unless a building official has given permission in writing to do so.

SECTION 11 requires an owner, when requested to do so by a building official, to submit with the application for a permit an up-to-date plan of survey or a location certificate.

SECTION 12 requires the owner, or the owner's agent or constructor to ensure that the professionals involved in the work provide the undertakings required by the regulations to the authority having jurisdiction.

SECTION 13 authorizes a building official to require the owner to have a building site graded to conform to a storm water drainage or management plan in force in the area.

SECTION 14 authorizes a building official to permit an owner to proceed with specified work before a permit has been issued for the project as a whole, and specifies the conditions that apply to that permission.

SECTION 15 authorizes a building official to issue a permit that authorizes specified exemptions from the requirements of the codes, and states the conditions that apply to the permit.

SECTION 16 authorizes a building official to issue a conditional building permit or occupancy permit in the specified circumstances.

SECTION 17 requires an owner to ensure that all required permits or approvals are obtained before commencing the work to which they relate.

SECTION 18 requires an owner to notify a building official of a change to the date on which work is scheduled to begin prior to commencing the work.

SECTION 19 requires an owner or a constructor to provide notice to a building official as specified.

SECTION 20 requires an owner or constructor to ensure that plans, specifications and other documents required for the issuance of a permit are available at the job site for inspection by a building official, and that the permit is posted at the site for the duration of the work.

SECTION 21 requires an owner to consult appropriate professionals respecting the design of a building to which the section applies as specified.

SECTION 22 provides that where the dimensions of a structural component are not set out in Part 9 of the Building Code the owner is required to ensure that a professional engineer is engaged to design the structural component and, if required to do so by a building official, provide an undertaking that the component will be designed in accordance with applicable requirements of the Building Code.

SECTION 23 authorizes a building official, in the specified circumstances, to require an owner to provide an undertaking that the owner will engage the appropriate professionals for the necessary design, and that the professionals will provide the declarations respect field reviews of construction required by the building official.

SECTION 24 requires an owner to ensure that a professional engineer is engaged to design a sprinkler system for a building required or intended to be equipped with one and provide an undertaking that the sprinkler system will be designed in accordance with the Building Code.

SECTION 25 requires an owner of a building to which Part 9 of the Building Code applies to notify a building official at the specified stages of construction for the carrying out of inspections.

SECTION 26 clarifies the rules relating to inspections of modular homes and manufactured homes.

SECTION 27 requires an owner or constructor of a building that has been professionally designed to notify a building official for the required inspections during and on completion of the work.

SECTION 28 provides that an owner is responsible for the cost of repair of damage to public property or public works resulting from work commenced by the owner, whether a permit was required or not.

SECTION 29 provides that an owner who is unable to continue or complete work is responsible for ensuring that the site is not in an unsafe condition before discontinuing the work.

SECTION 30 requires an architect or professional engineer who undertakes to design a building or part of one to ensure that the design meets the requirements of the codes.

SECTION 31 specifies the requirements that apply to a field review of construction by an architect or professional engineer.

SECTION 32 provides that a constructor is responsible for ensuring that excavation or other work is not undertaken on public property and that no materials are stored on public property unless approval in writing to do so has been obtained from the appropriate authority.

SECTION 33 provides that an owner and constructor are jointly and severally liable for any and all work undertaken. The section also provides that a constructor who is unable to continue work is responsible for ensuring that the site is not in an unsafe condition before discontinuing the work.

SECTION 34 provides that where the work is not under the control of a constructor, the owner is deemed to be the constructor for that work, and the responsibilities and obligations assigned to a constructor by the regulations and the codes apply to the owner.

SECTION 35 requires a constructor to ensure that materials, systems and equipment used in the work meet the requirements of the codes for that work. The section also requires the constructor, at the completion of the work, to complete the certificate of compliance portion of the building permit and provide it to the building official and the owner.

SECTION 36 specifies the levels of authorization for the appointment of building officials.

SECTION 37 specifies the criteria that must be met for an applicant to be appointed as a Residential Level, Level I or Level II building official.

SECTION 38 authorizes the Minister to confirm the appointment of a person who was appointed as a building official prior to the coming into force of the regulations, and to specify the level of authority of the appointment, in the specified circumstances. The section also authorizes the Minister to appoint a professional engineer or architect employed by an authority having jurisdiction as a Level II building official, notwithstanding the requirements of subsection 37(3). The section also provides for the termination of an appointment as specified.

SECTION 39 requires the authority having jurisdiction to retain copies of documents as specified.

SECTION 40 authorizes a building official to issue notices and orders as necessary to inform an owner of a contravention of the regulations. The building official is also authorized to specify in the notice or order the remedial measures to correct the contravention and the time limit for doing so. The section also specifies how the notice or order must be served and posted.

SECTION 41 requires a building official to answer any reasonable and relevant questions about the regulations and the codes on request, but prohibits the building official from assisting in the laying out of the work or acting as a designer for the work.

SECTION 42 authorizes a building official to direct an owner to have tests conducted at the owner's expense to determine whether the specified matters meet the requirements of the codes, and to provide the results to the building official, and requires the owner to comply with the direction.

SECTION 43 authorizes a building official to require an owner or constructor to make a report respecting the nature and details of a failure that causes or has the potential to cause injury or loss of life.

SECTION 44 provides that an application for a permit that was commenced but not completed prior to the coming into force of the regulations is deemed to be an application for a permit under the regulations, but may be dealt with by a building official in accordance with the edition of the Building Code that was in force at the time the application was commenced, if different from that adopted under subsection 2(1). The section also specifies an exemption from the

application of the regulations for work for which a development permit was issued and that was commenced on or before the date on which the regulations come into force, and an exemption for a period of one year for the specified matters in respect of a single family or semi-detached homes.

SECTION 45 adopts Schedules A to C and provides that they form part of the regulations.

SECTION 46 revokes regulations made under the former Act that are no longer needed.

SECTION 47 provides for the commencement of the regulations.

EC2020-178

CHILD AND YOUTH ADVOCATE ACT DECLARATION (TO RESCIND)

Council, having under consideration Order-in-Council EC2020-2 of January 7, 2020, rescinded the said Order forthwith, thus rescinding the proclamation of all sections except section 2 of the said "Child and Youth Advocate Act".

EC2020-179

CHILD AND YOUTH ADVOCATE ACT DECLARATION RE

Under authority of section 40 of the *Child and Youth Advocate Act* Stats. P.E.I. 2019, c. 21 Council ordered that a Proclamation do issue proclaiming all sections except section 2 of the said "Child and Youth Advocate Act" to come into force upon the day that the Child and Youth Advocate is appointed by resolution in the Legislative Assembly.

EC2020-180

EDUCATION ACT STUDENT TRANSPORTATION REGULATIONS AMENDMENT

Pursuant to section 107 of the *Education Act* R.S.P.E.I. 1988, Cap. E-.02, Council made the following regulations:

1. Clause 10(1)(c) of the *Education Act* Student Transportation Regulations (EC533/16) is repealed and the following substituted:

(c) notify the Director immediately of any medical condition of, or medication taken by, the school bus driver that could affect the school bus driver's ability to safely operate a school bus;

2. These regulations come into force on March 28, 2020.

EXPLANATORY NOTES

SECTION 1 requires a school bus driver to notify the Director of any medical condition of the school bus driver or medication taken by the school bus driver that could affect the driver's ability to safely operate a school bus.

SECTION 2 provides for the commencement of this Act.

EC2020-181

EXECUTIVE COUNCIL ACT
 MINISTER OF ECONOMIC GROWTH, TOURISM AND CULTURE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (ATLANTIC CANADA AGREEMENT ON TOURISM
 IN SUPPORT OF THE
 ATLANTIC CANADA TOURISM PARTNERSHIP)
 WITH THE
 GOVERNMENTS OF
 CANADA
 AND THE OTHER ATLANTIC PROVINCES
 AND WITH THE
 TOURISM INDUSTRY ASSOCIATIONS
 OF ATLANTIC CANADA

Pursuant to clauses 10(a), (b) and (c) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Economic Growth, Tourism and Culture as Minister Responsible for Tourism PEI to enter into an agreement with the Government of Canada, as represented by the Minister for the Atlantic Canada Opportunities Agency; with the Governments of New Brunswick, Nova Scotia, and Newfoundland and Labrador, as represented by their respective Ministers responsible for tourism marketing and development; and with the Tourism Industry Associations of New Brunswick, Nova Scotia, Newfoundland and Labrador, and Prince Edward Island, to continue the Atlantic Canada Tourism Partnership for the period April 1, 2020 to September 30, 2020, to undertake tourism marketing and development activities in international markets, such as more particularly described in the draft agreement.

EC2020-182

EXECUTIVE COUNCIL ACT
 MINISTER OF EDUCATION AND LIFELONG LEARNING
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (PROVISIONAL ARRANGEMENTS AGREEMENT
 RE: CANADA-PRINCE EDWARD ISLAND
 AGREEMENT ON MINORITY-LANGUAGE EDUCATION AND
 SECOND OFFICIAL-LANGUAGE INSTRUCTION
 2019-2020)
 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 Education and Lifelong Learning to enter into a provisional arrangements agreement with the Government of Canada, as represented by the Minister of Economic Development and Official Languages, to continue a cooperation framework on official languages in education for fiscal year 2019-2020 to fund initiatives described in Prince Edward Island's Action Plan, such as more particularly described in the draft agreement.

EC2020-183

EXECUTIVE COUNCIL ACT
 MINISTER OF FINANCE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (COMPUTERS FOR SCHOOLS AND
 COMPUTERS FOR SCHOOLS INTERN PROGRAMS)
 WITH
 THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Finance as Minister responsible for Treasury Board Secretariat to enter into an amended agreement with the Government of Canada, as represented by the Minister of Industry, for the Computers for Schools and Computers for Schools Intern Programs, for the period October 1, 2018 to March 31, 2024, such as more particularly described in the draft agreement.

EC2020-184

EXECUTIVE COUNCIL ACT
 MINISTER OF HEALTH AND WELLNESS
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (OFFICIAL LANGUAGES HEALTH CONTRIBUTION PROGRAM
 CONTRIBUTION AGREEMENT)
 WITH
 THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Health and Wellness, as Minister Responsible for Health PEI, to enter into a contribution agreement with the Government of Canada, as represented by the Minister of Health and acting through Health Canada, for a project, "Improve Access to French Services in the Prince Edward Island Health Care System," pursuant to the Official Languages Health Contribution Program, effective upon the last party signing until March 31, 2023, such as more particularly described in the draft agreement.

EC2020-185

EXECUTIVE COUNCIL ACT
 MINISTER OF JUSTICE AND PUBLIC SAFETY
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (CONTRIBUTION AGREEMENT
 FIRST NATIONS EMERGENCY SERVICES)
 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 to enter into an agreement with the Government of Canada, as represented by the Minister of Indigenous Services and the Minister of Indian Affairs and Northern Development, to implement and administer Emergency Management Services for First Nations Reserves on Prince Edward Island for the period April 1, 2019 to March 31, 2020, such as more particularly described in the draft agreement.

EC2020-186

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY EXPENDITURE
FOR FISCAL YEAR 2019/20)
ENVIRONMENT, WATER AND CLIMATE CHANGE

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 Environment, Water and Climate Change as follows:

Account Class	Account Name	Amount
	Forests, Fish and Wildlife /Division Management	
0036-4180	Grants	\$250,000
	Forests, Fish and Wildlife /Fish and Wildlife	
0095-4199	Grants	689,000
	Environment/Water and Air Monitoring	
0090-4199	Grants	20,000
	Environment/Environmental Land Management	
0730-4309	Grants	30,600
	Environment/Beverage Container Management	
0827-2802	Equipment	100,000
	Environment/Division Management	
0831-4320	Grants	2,722,400
	Climate Change Secretariat /Climate Change Secretariat	
0830-4258	Grants	<u>500,000</u>
	Total	<u>\$4,312,000</u>

Further, Council noted that this amount is partially-offset by revenue of \$667,300.

EC2020-187

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY EXPENDITURE
FOR FISCAL YEAR 2019/20)
TOURISM PEI

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 Tourism PEI as follows:

Account Class	Account Name	Amount
	Strategic Initiatives/Strategy and Evaluation	
0188-3001	Professional Services	\$157,700
0188-4299	Grants	650,000
	Tourism Marketing Communications/ Advertising and Public Relations	
0182-2906	Materials, Supplies and Services	<u>65,000</u>
	Total	<u>\$872,700</u>

Further, Council noted that this amount is partially-offset by revenue of \$267,700.

EC2020-188

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY CAPITAL EXPENDITURE
FOR FISCAL YEAR 2019/20)
TOURISM PEI

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 Tourism PEI as follows:

Account Class	Account Name	Amount
	Capital Improvements /Confederation Trail	
1130-5026	Confederation Trail	<u>85,000</u>
	Total	<u>\$85,000</u>

Further, Council noted that this amount is fully-offset by revenue.

EC2020-189

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
102451 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 102451 P.E.I. Inc. of Summerside, Prince Edward Island to acquire an interest, by way of share acquisition, in a land holding of approximately two thousand, two hundred and twenty-two decimal six three (2,222.63) acres of land at Central Bedeque, Lot 26; Chelton, Lot 26; Clermont, Lot 19; Freetown, Lot 25; Lower Bedeque, Lot 26; North Bedeque, Lot 25; Sherbrooke, Lot 19; and Wilmot Valley, Lot 25; all in Prince County, Province of Prince Edward Island, being acquired from Andrew Waugh of North Bedeque, Prince Edward Island.

EC2020-190

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
BIRCH FARMS 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 Birch Farms Limited of Summerside, Prince Edward Island to acquire a land holding of approximately one hundred and thirty-eight decimal seven two (138.72) acres of land at Lower Bedeque, Lot 26, Prince County, Province of Prince Edward Island, being acquired from Lynn Montgomery of Lower Bedeque, 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.

EC2020-191

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
BRITANNIA CORP.
(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 Britannia Corp. of Georgetown, Prince Edward Island to acquire a land holding of approximately seventy-nine decimal nine one (79.91) acres of land at Avondale, Lot 49, Queens County, Province of Prince Edward Island, being acquired from Highland Farms Limited of Mount Albion, 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.

EC2020-192

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 one hundred and thirty-two decimal one (132.1) acres of land at Greenmount, Lot 3, Prince County, Province of Prince Edward Island, being acquired from Clarence Powers of Tignish, 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.

EC2020-193

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
EMPIRE DEVELOPMENTS 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 Empire Developments Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately five decimal three five (5.35) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from V.C.G. Properties Inc. of Charlottetown, Prince Edward Island.

EC2020-194

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GERRIT VISSER & SONS (1991) 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 Gerrit Visser & Sons (1991) Inc. of Orwell, Prince Edward Island to acquire a land holding of approximately one decimal four one (1.41) acres of land at Orwell, Lot 57, Queens County, Province of Prince Edward Island, being acquired from Susan McQuillan and Tony McQuillan, both of Lake Verde, Prince Edward Island.

EC2020-195

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
H & H HOLSTEINS 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 H & H Holsteins Ltd. of Fredericton, Prince Edward Island to acquire a land holding of approximately two decimal two five (2.25) acres of land at Fredericton, Lot 67, Queens County, Province of Prince Edward Island, being acquired from Jeff Weeks of Hunter River, Prince Edward Island.

EC2020-196

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
H & H HOLSTEINS 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 H & H Holsteins Ltd. of Fredericton, Prince Edward Island to acquire a land holding of approximately three hundred and five decimal three one (305.31) acres of land at Fredericton, Lots 21, 22 and 67, Queens County, Province of Prince Edward Island, being acquired from Jeff Weeks 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.

EC2020-197

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JC HOUSING 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 JC Housing Inc. of Tignish, Prince Edward Island to acquire a land holding of approximately one decimal three (1.3) acres of land at Alberton, Lot 4, Prince County, Province of Prince Edward Island, being acquired from Charmaine Irene Ellsworth of Cascumpec, Prince Edward Island.

EC2020-198

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JAMESWAY DEVELOPMENTS 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 Jamesway Developments Ltd. of Georgetown Royalty, Prince Edward Island to acquire a land holding of approximately four decimal four seven (4.47) acres of land at Victoria Cross, Lot 51, Kings County, Province of Prince Edward Island, being acquired from Bruce Nelson James of Victoria Cross, Prince Edward Island.

EC2020-199

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
NATURE CONSERVANCY OF CANADA (PEI) 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 Nature Conservancy of Canada (PEI) Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately twenty-five (25) acres of land at Maximeville, Lot 15, Prince County, Province of Prince Edward Island, being acquired from Donald Gaudet and Michelle Gaudet, both of Edmonton, Alberta 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.

EC2020-200

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
NEW LEAF ESSENTIALS (EAST) 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 New Leaf Essentials (East) Ltd. of Charlottetown, Prince Edward Island to acquire a land holding of approximately two decimal four two (2.42) acres of land at Slemmon Park, Lot 17, Prince County, Province of Prince Edward Island, being acquired from Environmental Industrial Services Inc. of Charlottetown, Prince Edward Island.

EC2020-201

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
O'FAELAN 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 O'Faelan Farms Inc. of Avondale, Prince Edward Island to acquire a land holding of approximately four (4) acres of land at Eglington, Lot 43, Kings County, Province of Prince Edward Island, being acquired from Ron Whalen Family Trust of Avondale, Prince Edward Island.

EC2020-202

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
O'FAELAN 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 O'Faelan Farms Inc. of Avondale, Prince Edward Island to acquire a land holding of approximately thirty-seven decimal two (37.2) acres of land at Lake Verde, Lot 48, Queens County, Province of Prince Edward Island, being acquired from Charlene Duffy, Patrick Duffy and Bobbi Jo Duffy, all of Mount Albion, 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.

EC2020-203

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
P.E.I. RESOURCES 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 P.E.I. Resources Investments Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately one hundred and fifty decimal three (150.3) acres of land at Nine Mile Creek, Lot 65, Queens County, Province of Prince Edward Island, being acquired from Glen Afton Golf Club Inc., of Cornwall, 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 P.E.I. Resources Investments Inc. and on all successors in title.

EC2020-204

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SCENTIA ROAD 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 Scentia Road Farms Inc. of Vernon Bridge, Prince Edward Island to acquire a land holding of approximately fifty-two (52) acres of land at Vernon Bridge, Lot 50, Queens County, Province of Prince Edward Island, being acquired from John Dingwell MacLeod and Jean Marlene MacLeod, both of Vernon Bridge, 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.

EC2020-205

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SCENTIA ROAD 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 Scentia Road Farms Inc. of Vernon Bridge, Prince Edward Island to acquire a land holding of approximately seventy-eight (78) acres of land at Vernon River, Lot 50, Queens County, Province of Prince Edward Island, being acquired from John D. MacLeod of Vernon Bridge, 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.

EC2020-206

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SCENTIA ROAD 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 Scentia Road Farms Inc. of Vernon Bridge, Prince Edward Island to acquire a land holding of approximately ninety-eight (98) acres of land at Head of Montague, Lot 51, Kings County, Province of Prince Edward Island, being acquired from John D. MacLeod and Jean MacLeod, both of Vernon Bridge, 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.

EC2020-207

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
STRATEGIC HOLDINGS 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 Strategic Holdings Inc. of Wilmot Valley, Prince Edward Island to acquire a land holding of approximately four decimal three seven (4.37) acres of land at Stanley Bridge, Lot 21, Queens County, Province of Prince Edward Island, being acquired from 100568 P.E.I. Inc. of Summerside, 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.

EC2020-208

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
T & M 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 T & M Holdings Inc. of Cornwall, Prince Edward Island to acquire a land holding of approximately twenty-two decimal three eight (22.38) acres of land at DeSable, Lot 29, Queens County, Province of Prince Edward Island, being acquired from William John Roderick MacDonald and Nancy Marie MacDonald, both of Moncton, New Brunswick.

EC2020-209

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
T.S. MAGNUM 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 T.S. Magnum Limited of Charlottetown, Prince Edward Island to acquire a land holding of approximately twelve decimal one four (12.14) acres of land at Hunter River, Lot 23, Queens County, Province of Prince Edward Island, being acquired from Janet Yvonne Gillespie of Newmarket, Ontario SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said T.S. Magnum Limited and on all successors in title.

EC2020-210

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
BIRCH FARMS LIMITED
(TO RESCIND)

Council, having under consideration Order-in-Council EC2014-770 of December 23, 2014, rescinded the said Order forthwith, thus rescinding permission for Birch Farms Limited of Summerside, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to one thousand, three hundred and twenty-five (1,325) acres of land as part of the said corporation's aggregate land holdings.

EC2020-211

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
BIRCH FARMS LIMITED
(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 Birch Farms Limited of Summerside, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to one thousand (1,000) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Birch Farms Limited 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.

EC2020-212

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
WILLARD WAUGH & SONS LTD.
(TO RESCIND)

Council, having under consideration Order-in-Council EC2018-725 of November 20, 2018, rescinded the said Order forthwith, thus rescinding permission for Willard Waugh & Sons Ltd. of Summerside, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to one thousand (1,000) acres of land as part of the said corporation's aggregate land holdings.

EC2020-213

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
WILLARD WAUGH & SONS LTD.
(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 Willard Waugh & Sons Ltd. of Summerside, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to six hundred and fifty (650) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Willard Waugh & Sons Ltd. 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.

EC2020-214

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
CHRISTOPHER CHIVILO
(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 Christopher Chivilo of Olds, Alberta to acquire an interest in a land holding of approximately two decimal four two (2.42) acres of land at Summerside, Lot 17, Prince County, Province of Prince Edward Island, being acquired from Environmental Industrial Services Inc. of Charlottetown, Prince Edward Island.

EC2020-215

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JEREMY CROUSE
(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 Jeremy Crouse of Helena, Montana to acquire a land holding of approximately seventy-nine decimal nine one (79.91) acres of land at Avondale, Lot 49, Queens County, Province of Prince Edward Island, being acquired from Britannia Corp. of Georgetown, 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.

EC2020-216

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
LEENDERT DE HAAN AND INGRID DE HAAN - VAN DER SPEK
(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 Leendert de Haan and Ingrid de Haan - van der Spek, both of Oldambt, Groningen, Netherlands to acquire an interest in a land holding of approximately three hundred and seven decimal five six (307.56) acres of land at Fredericton, Lots 21, 22 and 67, Queens County, Province of Prince Edward Island, being acquired from Jeff Weeks of Hunter River, Prince Edward Island.

EC2020-217

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
LYNTON THOMAS GILL
(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 Lynton Thomas Gill of Nanaimo, British Columbia to acquire a land holding of approximately forty-eight decimal five (48.5) acres of land at Springfield West, Lot 8, Prince County, Province of Prince Edward Island, being acquired from Linda Lank of Cornwall, 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 Lynton Thomas Gill and on all successors in title.

EC2020-218

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PIETER HOOGENBOOM AND DINA HENEIN
(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 Pieter Hooogenboom and Dina Henein, both of Mississauga, Ontario to acquire a land holding of approximately four decimal zero two (4.02) acres of land at Wheatley River, Lot 24, Queens County, Province of Prince Edward Island, being acquired from Alexander Van Der Geer-Stok and Henk Van Der Geer, both of Wheatley 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.

EC2020-219

**PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
THOMAS RANGE AND BARBARA HASENBOHLER
(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 Thomas Range and Barbara Hasenboehler, both of Glattfelden, Switzerland to acquire a land holding of approximately thirty decimal nine two (30.92) acres of land at Goose River, Lot 42, Kings County, Province of Prince Edward Island, being acquired from Richard Hassard and Donna Hassard, both of St. Peters, 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 Thomas Range and Barbara Hasenboehler and on all successors in title.

EC2020-220

**PLANNING ACT
SUBDIVISION AND DEVELOPEMENT REGULATIONS
AMENDMENT**

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

1. Section 68 of the *Planning Act* Subdivision and Development Regulations (EC693/00) is revoked and the following substituted:

68. The fees payable for subdivision and development applications are Fees prescribed in Table 12.

TABLE 12 - FEES	
Type of Use/Application	Fee
RESIDENTIAL DEVELOPMENT New/Additions/Moving/Accessory	\$250
INDUSTRIAL-COMMERCIAL-INSTITUTIONAL and RECREATIONAL DEVELOPMENT New/Additions/Renovations	\$600
RESOURCE DEVELOPMENT New/Additions/Renovations	\$500
SUBDIVISION OF LAND One or more lots or changes of use Preliminary approval extensions	\$110 for the first lot plus \$55 for each additional lot \$30

WIND ENERGY SYSTEMS	
Capacity of 1-20kw	\$100
Capacity of greater than 20kw but less than 50kw	\$200
Capacity of 50kw or greater but less than 100kw	\$300
Capacity of 100kw or greater	\$1,100
GENERAL	
Campground/Mobile Home Park	\$220
Travel Trailer as Primary/Accessory Use on a Lot	\$220
Permit/Approval After-the-Fact	Double the Fee (Min. \$100)

2. These regulations come into force on March 31, 2020.

EXPLANATORY NOTES

SECTION 1 amends the Subdivision and Development Regulations by revoking section 68 and substituting a new section 68 in order to revise the fees set out in Table 12. Fees for subdivision and development applications will no longer be assessed on the basis of the square footage of the subdivision or development.

SECTION 2 provides for the commencement of these regulations.

EC2020-221

PROVINCIAL DEBENTURE ISSUE MAXIMUM AGGREGATE PRINCIPAL AMOUNT \$250,000,000.00

The Executive Council having under consideration the matter of Provincial Debentures:

WHEREAS by virtue of the *Loan Act 2019*, Stats. P.E.I. 2019, c. 26, (the "*Loan Act*") and the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, the Lieutenant Governor in Council is authorized to raise from time to time by way of loan such sums of money as may be deemed expedient for any or all of the purposes mentioned in the said Acts, inter alia, for discharging the cost of carrying on public works authorized by the Legislature, for making advances to crown corporations or reporting entities and the payment of any indebtedness of the Province, provided that the principal amount of any securities issued and the amount of temporary loans raised under the authority of these Acts, including any securities issued for the retirement of the said securities or temporary loans, at any time outstanding, shall not exceed in the whole the sum of Two Hundred and Fifty Million (\$250,000,000.00) Dollars; and

WHEREAS it is now deemed expedient to borrow under the authority of the *Loan Act*, by the issue and sale of Debentures of the Province from time to time in the maximum aggregate principal amount of Two Hundred and Fifty Million (\$250,000,000.00) Dollars at such time or times as the Minister of Finance considers market conditions are favourable; and

WHEREAS by virtue of subsection 49(3) of the *Financial Administration Act*, the Minister of Finance has the same powers, rights and authority as the Lieutenant Governor in Council has under the authority given to the Lieutenant Governor in Council to raise sums of money; and

WHEREAS by virtue of subsection 49(4) of the *Financial Administration Act*, the Minister of Finance on such terms and conditions as the Minister of Finance considers advisable, may raise sums of money by way of loan, in whole or in part, or through the issue and sale of securities, in whole or in part, that have a term to maturity of more than one year;

THE EXECUTIVE COUNCIL THEREFORE ADVISES THAT under the authority of and pursuant to the provisions of the said *Loan Act* and the *Financial Administration Act*, the Province may borrow by issue and sale of Debentures of the Province from time to time in the maximum aggregate principal amount of Two Hundred and Fifty Million (\$250,000,000.00) Dollars at such time or times as the Minister of Finance considers market conditions are favourable.

THE EXECUTIVE COUNCIL FURTHER ADVISES THAT the Minister of Finance shall as soon as practicable, but in no case later than thirty days after the money is received, provide the Lieutenant Governor in Council with a statement of the sums of money raised, the rate of interest or the yield to the investor and such other terms and conditions as the Minister of Finance considers advisable, including any sinking fund.

THE EXECUTIVE COUNCIL FURTHER ADVISES THAT the maximum aggregate principal amount of Two Hundred and Fifty Million (\$250,000,000.00) Dollars of the Debentures, the issue and sale whereof is hereby provided for, is and is declared to be necessary to realize the sum required to be raised by way of loan pursuant to the *Loan Act* and the *Financial Administration Act*.

EC2020-222

ROADS ACT APPROVED WEIGHING DEVICES DESIGNATIONS

Under authority of subsection 52(1) of the *Roads Act* R.S.P.E.I. 1988, Cap. R-15 Council designated the following weighing devices as approved weighing devices for the purpose of weighing commercial vehicles:

1. Haenni Portable Wheel Weigher
Model WL101
Serial #40222
2. Haenni Portable Wheel Weigher
Model WL101
Serial #40223
3. Haenni Portable Wheel Weigher
Model WL101
Serial #40224
4. Haenni Portable Wheel Weigher
Model WL101
Serial #40225
5. Haenni Portable Wheel Weigher
Model WL101
Serial #21705

These designations are effective March 28, 2020.

EC2020-223**ROADS ACT
HIGHWAY ACCESS REGULATIONS
AMENDMENT**

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

1. Subclause 1(1)(a)(ii) of the *Roads Act Highway Access Regulations* (EC580/95) is revoked and the following substituted:

(ii) the change of use of a parcel of land from an existing commercial operation, existing industrial operation or existing institutional operation to residential usage, where the number of average weekday vehicle trips is not expected to increase, and there is no increase in the size of the building or parcel, as a result of the change to residential usage,

2. These regulations come into force on March 28, 2020.**EXPLANATORY NOTES**

SECTION 1 revokes subclause 1(1)(a)(ii) of the *Roads Act Highway Access Regulations* (EC580/95) and substitutes a new subclause (ii) that adds an existing institutional use as one that may be changed to a residential usage as an exception to the definition of “change of use”. The section also adds an additional condition that the change to residential usage must not result in an increase in the size of the building or parcel.

SECTION 2 provides for the commencement of the regulations.

EC2020-224**AN ACT TO AMEND THE VITAL STATISTICS ACT
DECLARATION RE**

Under authority of section 14 of *An Act to Amend the Vital Statistics Act* Stats. P.E.I. 2019, c. 37 Council ordered that a Proclamation do issue proclaiming all sections except section 6(1)(a) of the said "An Act to Amend the Vital Statistics Act" to come into force effective March 28, 2020.

EC2020-225**VITAL STATISTICS ACT
REGULATIONS**

Pursuant to section 40 of the *Vital Statistics Act* R.S.P.E.I. 1988, Cap. V-4.1, Council made the following regulations:

1. In these regulations, “Act” means the *Vital Statistics Act* R.S.P.E.I. 1988, Cap. V-4.1. Meaning of “Act”

2. For the purpose of clause 7(c) of the Act, an application to register a birth more than one year after the birth shall be accompanied by evidence in the form of a record or document in respect of the person that meets the following requirements: Evidence of birth

- (a) it contains at least one of the following in respect of the person:
- (i) date of birth,
 - (ii) place of birth,
 - (iii) parent name or names;

- (b) it was made within ten years of the person's birth;
- (c) it is, in the opinion of the Director, reliable evidence of the person's birth, such as
- (i) a baptismal record or similar church record,
 - (ii) a Statistics Canada census document,
 - (iii) an immunization record or similar public health record, or
 - (iv) a record of school registration.
- 3.** For the purpose of clause 9(1)(d) of the Act, an application to change the given name on or add a given name to a person's registration of birth may be accompanied by evidence in the form of a record or document in respect of the person that meets the following requirements:
- Evidence of given name
- (a) it contains the changed or new given name of the person;
 - (b) it was made within ten years of the person's birth; and
 - (c) it is, in the opinion of the Director, of a reliable nature, such as
 - (i) a Statistics Canada census document,
 - (ii) an immunization record or similar public health record, or
 - (iii) a record of school registration.
- 4.** For the purpose of clause 17(1)(d) of the Act, an application to register a marriage more than one year after the marriage was solemnized shall be accompanied by
- Evidence of marriage
- (a) a church or court record that
 - (i) was completed by the person who solemnized the marriage or a person having knowledge of the facts of the marriage, and
 - (ii) shows the names of the spouses and the date and place of the marriage; or
 - (b) another record that, in the opinion of the Director, is reliable evidence of the marriage of the spouses.
- 5.** For the purpose of clause 23(b) of the Act, an application to register a death more than one year after the death shall be accompanied by
- Evidence of death
- (a) a record of a court, church, cemetery or funeral director that
 - (i) identifies the deceased person, and
 - (ii) shows the date and place of death of the person; or
 - (b) another record that, in the opinion of the Director, is reliable evidence of the death of the person.
- 6. (1)** In this section, "personal information" means personal information as defined in the *Freedom of Information and Protection of Privacy Act* R.S.P.E.I. 1988, Cap. F-15.01.
- Meaning of "personal information"
- (2) Subject to sections 14 and 15 of the Act, the Director may disclose personal information obtained in the administration of the Act to
- Disclosure of personal information
- (a) a public body, as defined in the *Freedom of Information and Protection of Privacy Act*;
 - (b) the Public Archives and Records Office of Prince Edward Island;
 - (c) the Government of Canada;
 - (d) the government of a province or territory;
 - (e) a member of a police service, as defined in the *Police Act* R.S.P.E.I. 1988, Cap. P-11.1, for the purposes of law enforcement;
 - (f) subject to subsection (2), a person who requires the personal information for a research purpose.
- (3) Subject to subsection 32(13) of the Act, the Director may disclose personal information for a research purpose, including statistical research, only if
- Disclosure for a research purpose
- (a) the research purpose cannot reasonably be accomplished unless that information is provided in individually identifiable form or the research purpose has been approved by the Director;
 - (b) any record linkage is not harmful to the individuals the information is about and the benefits to be derived from the record linkage are clearly in the public interest;
 - (c) the Director has approved conditions relating to the following:
 - (i) security and confidentiality,
 - (ii) the removal or destruction of individual identifiers at the earliest reasonable time, and
 - (iii) the prohibition of any subsequent use or disclosure of the information in individually identifiable form without the express authorization of the Director; and

(d) the person to whom the information is disclosed has signed an agreement to comply with the approved conditions, the Act and any of the Director's policies and procedures relating to the confidentiality of personal information.

7. The fees prescribed for specified services and activities under the Act are set out in the Schedule, which forms part of these regulations. Fees

8. The *Vital Statistics Act* Regulations (EC453/00) are revoked. Revocation

9. These regulations come into force on March 28, 2020. Commencement

SCHEDULE

FEES

Type of service or activity	Act provision	Fee
1. Registration activities		
(a) amending statement of birth	3(3)	\$25
(b) delayed registration of birth, marriage or death	7, 17, 23	\$25
(c) changing or adding given name in a birth registration	9(1)	\$25
(d) recording change of name made in another jurisdiction	10	\$25
2. Search of vital records (per three-year period)	31	\$20
3. Issuance of certificates and copies of vital records		
(a) birth certificate (short form)	32(1)	\$25
(b) birth certificate (long form)	32(1)	\$35
(c) copy of registration of birth	32(3)	\$35
(d) marriage certificate or copy of registration of marriage	32(4)	\$35
(e) death certificate, without cause of death	32(5)	\$35
(f) death certificate, with cause of death	32(5)	\$50
(g) copy of registration of death or stillbirth	32(7)	\$35
(h) provision of information or copy of record for which a fee has not already been prescribed	32(13)	\$20
4. Expedited services and shipping		
(a) rush issuance of certificates (within 2 business days)		\$50 (In addition to fee for certificate)
(b) same day issuance of certificates		\$100 (In addition to fee for certificate)
(c) shipping a record or copy		Actual cost

EXPLANATORY NOTES

SECTION 1 defines the term "Act".

SECTION 2 sets out requirements for documentary evidence in support of an application to register a birth more than one year after the birth.

SECTION 3 sets out requirements for documentary evidence in support of an application to change the given name on or add a given name to a person's registration of birth.

SECTION 4 sets out the documentary evidence that is to accompany an application to register a marriage more than one year after the marriage was solemnized.

SECTION 5 sets out the documentary evidence that is to accompany an application to register a death more than one year after the death.

SECTION 6 permits the Director to disclose personal information obtained in the administration of the Act to specified persons or for specified purposes. It also sets out the conditions under which the Director may disclose the personal information for a research purpose.

SECTION 7 provides that the fees prescribed for specified services and activities under the Act are set out in the Schedule, which forms part of the regulations.

SECTION 8 revokes the existing regulations.

SECTION 9 provides for the commencement of these regulations.