

EC2021-995ACCESS TO DIGITAL ASSETS ACT
DECLARATION RE

Under authority of section 11 of the *Access to Digital Assets Act* Stats. P.E.I. 2021, c. 27 Council ordered that a Proclamation do issue proclaiming the said "Access to Digital Assets Act" to come into force effective January 1, 2022.

EC2021-996EXECUTIVE COUNCIL ACT
MINISTER OF ENVIRONMENT, ENERGY AND CLIMATE ACTION
AUTHORITY TO ENTER INTO AN AGREEMENT
(CLIMATE CHALLENGE FUND – FUNDING AGREEMENT)
WITH
LENNOX ISLAND FIRST NATION

Pursuant to clause 10(c) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Environment, Energy and Climate Action to enter into an agreement with the Lennox Island First Nation, to set out the terms and conditions for the Nature-based Climate Change Mitigation and Adaptation Project, for the period August 2, 2021 to March 31, 2023, such as more particularly described in the draft agreement.

EC2021-997EXECUTIVE COUNCIL ACT
MINISTER OF ENVIRONMENT, ENERGY AND CLIMATE ACTION
AUTHORITY TO ENTER INTO AN AGREEMENT
(CLIMATE CHALLENGE FUND – FUNDING AGREEMENT)
WITH
THE TOWN OF STRATFORD

Pursuant to clause 10(c) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Environment, Energy and Climate Action to enter into an agreement with the Town of Stratford, to set out the terms and conditions for the Nature-based Climate Change Mitigation and Adaptation Project, for the period August 2, 2021 to March 31, 2023, such as more particularly described in the draft agreement.

EC2021-998

EXECUTIVE COUNCIL ACT
 MINISTER OF ECONOMIC GROWTH, TOURISM AND CULTURE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (CANADA – PRINCE EDWARD ISLAND AGREEMENT ON THE
 ATLANTIC IMMIGRATION PROGRAM)
 WITH
 THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Economic Growth, Tourism and Culture to enter into an agreement with the Government of Canada, as represented by the Minister of Citizenship and Immigration to define the roles and responsibilities in relation to the Atlantic Immigration Program, such as more particularly described in the draft agreement.

EC2021-999

EXECUTIVE COUNCIL ACT
 MINISTER OF FISHERIES AND COMMUNITIES
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (FUNDING AGREEMENT – AMENDMENT NO. 1)
 WITH
 THE TOWN OF THREE RIVERS

Pursuant to clause 10(c) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Fisheries and Communities to enter into an amended funding agreement with the Town of Three Rivers, for costs and new initiatives associated with the establishment of the Town of Three Rivers, for the period September 28, 2018 to December 31, 2028, such as more particularly described in the draft agreement.

EC2021-1000

EXECUTIVE COUNCIL ACT
 MINISTER OF JUSTICE AND PUBLIC SAFETY
 AND ATTORNEY GENERAL
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (INDIGENOUS COURT WORK SERVICES AGREEMENT)
 WITH
 EPEKWITK ASSEMBLY OF COUNCILS INC.
 OPERATING AS MI'KMAQ CONFEDERACY OF PEI

Pursuant to clause 10(c) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Justice and Public Safety and Attorney General to enter into an agreement with Epekwitk Assembly of Councils Inc. Operating as Mi'kmaq Confederacy of PEI, to set out the terms and conditions associated with the Mi'kmaq Confederacy of PEI operating the Indigenous Courtwork Service, for the period July 1, 2021 to June 15, 2023, such as more particularly described in the draft agreement.

EC2021-1001

EXECUTIVE COUNCIL ACT
 MINISTER OF JUSTICE AND PUBLIC SAFETY
 AND ATTORNEY GENERAL
 AUTHORITY TO ENTER INTO
 PRINCE EDWARD ISLAND PROVINCIAL POLICE
 EXTENDED SERVICE AGREEMENTS –
 AMENDMENT NO. 1
 WITH
 CERTAIN MUNICIPALITIES
 IN THE
 PROVINCE OF PRINCE EDWARD ISLAND

Pursuant to clause 10(c) of the *Executive Council Act*, R.S.P.E.I. 1988, Cap. E-12, Council authorized the Minister of Justice and Public Safety and Attorney General to enter into amended Policing Extended Service Agreements with the Municipalities of Alberton, Borden-Carleton, Montague, O’Leary, Souris, and Tignish to set out terms and conditions for provision of policing services by the Royal Canadian Mounted Police for the period April 1, 2012 to March 31, 2032, such as more particularly described in the draft agreement.

EC2021-1002

FINANCIAL ADMINISTRATION ACT
 SPECIAL WARRANT
 (SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2021/2022)
 DEPARTMENT OF EDUCATION AND LIFELONG LEARNING

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

Account Class	Account Name	Amount
	Capital Improvements	
1101-5004	School Construction and Renovations	\$4,585,000.00
	Bus Replacement	
1103-5028	School Buses	<u>8,685,000.00</u>
	Total	<u>\$13,270,000.00</u>

Further, Council noted that \$4,112,500.00 of this amount will be offset by operating revenue.

EC2021-1003**HEALTH INFORMATION ACT
HEALTH INFORMATION REGULATIONS
AMENDMENT**

Pursuant to section 81 of the *Health Information Act* R.S.P.E.I. 1988, Cap. H-1.41, Council made the following regulations:

1. Clauses 7(1)(b) and (c) of the *Health Information Act* Health Information Regulations (EC359/17) are revoked and the following substituted:

(b) one of the following members of a regulated health profession under the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1, who is employed or engaged in that capacity at a health care facility:

- (i) licensed practical nurse,
- (ii) medical practitioner,
- (iii) medical radiation technologist,
- (iv) nurse practitioner,
- (v) pharmacist,
- (vi) pharmacy technician,
- (vii) registered nurse,
- (viii) respiratory therapist.

2. (1) Subsection 7(2) of the regulations is amended by the deletion of the words “he or she” and the substitution of the words “the authorized custodian”.

(2) Subsection 7(3) of the regulations is revoked.

(3) Subsection 7(4) of the regulations is revoked and the following substituted:

(4) An authorized custodian who is granted access to the DIS in accordance with clause (1)(b) shall cease to have access if

- (a) the authorized custodian's registration under the *Regulated Health Professions Act* expires or is suspended or cancelled; or
- (b) the authorized custodian ceases to be employed or engaged at a health care facility as a member of a regulated health profession listed in clause (1)(b).

Access revoked,
member of
regulated health
profession

3. These regulations come into force on December 18, 2021.

EXPLANATORY NOTES

SECTION 1 amends subsection 7(1) of the regulations to revoke clause (b), which ceased to be effective December 31, 2021, and revoke and re-enact clause (c) as a new clause (b) with updated wording and the addition of medical radiation technologists and respiratory therapists.

SECTION 2 updates subsection 7(2) of the regulations with gender-neutral language and revokes subsection 7(3) of the regulations, which corresponded to the revoked clause 7(1)(b). It also revokes and replaces subsection 7(4) of the regulations to update cross-references and improve the wording.

SECTION 3 provides for the commencement of these regulations.

EC2021-1004**LIQUOR CONTROL ACT
REGULATIONS
AMENDMENT**

Made by the Prince Edward Island Liquor Control Commission and approved by the Lieutenant Governor in Council under the *Liquor Control Act* R.S.P.E.I. 1988, Cap. L-14:

1. Section 13 of the *Liquor Control Act* Regulations (EC704/75) is revoked and the following substituted:

- 13.** (1) A dining room license authorizes the licensee to sell and serve liquor in the licensed premises, in accordance with this section. Authority under license
- (2) The licensee may Origin of liquor that may be served
- (a) sell and serve liquor purchased by the licensee from the Commission; and
- (b) serve a bottle of wine brought by a person into the dining room, if the wine was commercially produced, bottled and sealed.
- (3) For greater certainty, clause (2)(b) does not apply to Excluded types of wine
- (a) homemade wine;
- (b) wine bottled at a Commission store or a ferment-on-premises facility; or
- (c) boxed wine.
- (4) Liquor may be served in the following areas of the licensed premises: Areas of licensed premises where liquor may be served
- (a) the main dining room;
- (b) a private dining room approved by the Commission;
- (c) where the licensed premises is located at a hotel or motel, a guest room, by means of room service.
- (5) Where a person is having a meal, liquor may be served to the person immediately before, during or immediately after the meal. When liquor may be served with meals
- (6) Where a person is not having a meal, liquor may be served to the person in an amount not exceeding two authorized servings of the liquor. Limited amount of liquor without meal
- (7) A person may take from the dining room a bottle of wine that was served to the person and contains any remainder, if the licensee inserts a cork into the bottle so that the cork is flush with the top of the bottle. Taking wine from dining room
- (8) The licensee may charge a fee to Fee
- (a) open and serve a bottle of wine brought by a person into the dining room; and
- (b) cork a bottle of wine in accordance with subsection (7).

2. These regulations come into force on December 18, 2021.

EXPLANATORY NOTES

SECTION 1 revokes and replaces section 13 of the regulations to provide for the holder of a dining room license to serve a commercially-produced and sealed bottle of wine brought into the dining room by a customer. It also provides for a customer to take an opened bottle of wine from the dining room, if the licensee corks it.

SECTION 2 provides for the commencement of these regulations.

EC2021-1005**LONG-TERM CARE SUBSIDIZATION ACT
REGULATIONS
AMENDMENT**

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

1. (1) Clause 3(1)(c) of the *Long-Term Care Subsidization Act* Regulations (EC45/20) is revoked and the following substituted:

(c) “net income” means the amount reported on line 23600 of an individual’s Income Tax and Benefit Return, less any amount reported on line 14500 of the return, as confirmed by the Canada Revenue Agency. net income

(2) Section 3 of the Act is amended by the addition of the following after subsection (6):

(7) Notwithstanding subsections (2) and (3), where the Minister is of the opinion that an applicant’s income as calculated in accordance with subsection (2) or (3) is not a fair representation of the applicant’s ability to adequately provide for oneself, the Minister may impute the amount of income to the individual that the Minister considers appropriate in the circumstances. Imputed income

2. These regulations come into force on December 18, 2021.**EXPLANATORY NOTES**

SECTION 1 revokes and replaces the definition of “net income” in clause 3(1)(c) of the regulations to provide for the deduction of any amount reported on line 14500 (social assistance payments) of an individual’s income tax return from the amount reported on line 23600 (net income).

SECTION 2 provides for the commencement of these regulations.

EC2021-1006**PENSION PLAN TRANSFER ACT
DECLARATION RE**

Under authority of section 17 of the *Pension Plan Transfer Act* Stats. P.E.I. 2021, c. 41 Council ordered that a Proclamation do issue proclaiming the said "Pension Plan Transfer Act" to come into force effective December 25, 2021.

EC2021-1007**PUBLIC SECTOR PENSION PLAN ACT
GENERAL REGULATIONS
AMENDMENT**

Pursuant to section 28 of the *Public Sector Pension Plan Act* R.S.P.E.I. 1988, Cap. P-32.11, Council made the following regulations:

1. Clause 4(1)(c) of the *Public Sector Pension Plan Act* General Regulations (EC85/18) is amended

(a) in subclause (i), by the deletion of the words “Education, Early Learning and Culture, and” and the substitution of the words “Education and Lifelong Learning,”;

(b) in subclause (ii), by the deletion of the words “Education, Early Learning and Culture;” and the substitution of the words “Education and Lifelong Learning,”; and

(c) by the addition of the following after subclause (ii):

(iii) pursuant to the Terms and Conditions of Employment for permanent education sector employees as described in the Collective Agreement between the Education Negotiating Agency and the Canadian Union of Public Employees Locals 1145, 1770 and 1775, and the Collective Agreement between the Education Negotiating Agency and the Canadian Union of Public Employees Local 3260;

2. The regulations are amended by the addition of the following after section 4:

5. For the purposes of paragraph 1(1)(u)(vii)(C) of the Act, the following persons are included as members: Members included

(a) any person employed by an employer specified in subsection 4(1);

(b) any person who is a member of the Legislative Assembly, as defined in the *Legislative Assembly Act* R.S.P.E.I. 1988, Cap. L-7.1.

3. These regulations come into force on December 25, 2021.**EXPLANATORY NOTES**

SECTION 1 amends clause 4(1)(c) of the *Public Sector Pension Plan Act* General Regulations to clarify that the reporting entities specified in Schedule C to the *Financial Administration Act* R. S.P.E.I. 1988, Cap. F-9, with respect to those specified employees, are participating employers to which the Act applies.

SECTION 2 amends the regulations by adding a new section 5 that provides that, for the purposes of paragraph 1(1)(u)(vii)(C) of the Act, the listed persons are members.

SECTION 3 provides for the commencement of these regulations.

EC2021-1008**REGULATED HEALTH PROFESSIONS ACT
LICENSED PRACTICAL NURSES REGULATIONS
AMENDMENT**

Pursuant to sections 2 and 96 of the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1, Council made the following regulations:

1. Clause 13(2)(b) of the *Regulated Health Professions Act* Licensed Practical Nurses Regulations (EC150/18) is amended by the deletion of the word “three” and the substitution of the word “four”.

2. Section 14 of the regulations is amended

(a) in clauses (a) and (c), by the deletion of the word “two” and the substitution of the word “three”; and

(b) in clause (b), by the deletion of the word “during” and the substitution of the word “within”.

3. These regulations come into force on January 1, 2022.

EXPLANATORY NOTES

SECTION 1 amends clause 13(2)(b) of the regulations to require an applicant to pass the required competency examination in not more than four attempts, instead of three attempts.

SECTION 2 amends section 14 of the regulations in respect of the options for demonstrating currency of professional knowledge and skills:

- in clause (a), the time period in respect of the successful completion of the education requirement is changed to not more than three years, instead of not more than two years, before the date of the application
- in clause (b), the requirement in respect of active practice is clarified as at least 1000 hours within the five years, instead of during the five years, immediately preceding the application
- in clause (c), the time period in respect of the successful completion of a refresher program is changed to within three years, instead of within two years, of the date of application

SECTION 3 provides for the commencement of these regulations.