

EC2014-366**DRUG COST ASSISTANCE ACT
DECLARATION RE**

Under authority of section 23 of the *Drug Cost Assistance Act* Stats. P.E.I. 2013, c. 10 Council ordered that a Proclamation do issue proclaiming the said "Drug Cost Assistance Act" to come into force effective July 1, 2014.

EC2014-367**DRUG COST ASSISTANCE ACT****DRUG COST ASSISTANCE PROGRAM REGULATIONS**

Pursuant to section 21 of the *Drug Cost Assistance Act* R.S.P.E.I. 1988, Cap. D-14.1, Council made the following regulations:

Part 1

Interpretation and Application

1. In these regulations, Definitions
- (a) "Act" means the *Drug Cost Assistance Act* R.S.P.E.I. 1988, Cap. D-14.1; Act
- (b) "agreement" means the agreement referred to in section 12 of the Act between the Minister and the Prince Edward Island Pharmacists Association or the Minister and a participating pharmacy; agreement
- (c) "eligible cost" means the cost or portion of the cost of a benefit that is reimbursable under a program; eligible cost
- (d) "health card" means a health card as defined in the *Provincial Health Number Act* R.S.P.E.I. 1988, Cap. P-27.01; health card
- (e) "medical practitioner" means a person entitled to practise under the *Medical Act* R.S.P.E.I. 1988, Cap. M-5; medical practitioner
- (f) "prescriber" means a person who is authorized to prescribe drugs under an enactment or an Act of the Parliament of Canada; prescriber
- (g) "resident" means resident as defined in the Act; resident
- (h) "spouse" means a spouse as defined in section 29 of the *Family Law Act* R.S.P.E.I. 1988, Cap. F-2.1. spouse
2. (1) Where a person has or is covered by third-party insurance as referred to in section 5 of the Act, or is entitled to benefits described in section 6 of the Act, but is otherwise an eligible person for the purposes of these regulations, the person shall first submit any claim for benefits to the third-party insurer or other benefit provider prior to submitting the outstanding balance of the claim to the Administrator for the purposes of a program under these regulations. Co-ordination of benefits
- (2) A participating pharmacy shall submit a claim on behalf of the person referred to in subsection (1) as required by that subsection. Idem

Part 2

Seniors Drug Program

3. (1) In this Part, “program” means the Seniors Drug Program. Definition
- (2) There is hereby continued as a program under the Plan entitled the Seniors Drug Program. Program established
4. (1) A resident is eligible for benefits under the program if the resident Eligibility criteria
- (a) has attained the age of 65 years; and
- (b) is entitled to payment for basic health service benefits under the *Health Services Payment Act* R.S.P.E.I. 1988, Cap. H-2 and the *Hospital and Diagnostic Services Insurance Act* R.S.P.E.I. 1988, Cap. H-8.
- (2) An eligible person ceases to be eligible for benefits under the program, and the person’s coverage ceases, Cessation of eligibility and coverage
- (a) on the day the person leaves the province to establish residence in another province or country; and
- (b) on the day the person ceases to be an entitled person under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*.
5. (1) The program shall pay to or on behalf of an eligible person the eligible cost of a benefit, subject to subsection (2) or (3), as applicable, and any requirements set out in the formulary, in accordance with these regulations and the terms of the agreement or, where there is no agreement, as determined by the Minister. Payment of eligible cost of benefit
- (2) For any benefit dispensed, an eligible person who is not covered by a contract of third-party insurance is responsible for payment of Co-payment
- (a) the lesser of
- (i) the first \$7.69 of the amount of a dispensing fee charged by the participating pharmacy, or
- (ii) the dispensing fee charged by the participating pharmacy; and
- (b) the lesser of
- (i) the actual cost of the drug, or
- (ii) the first \$8.25 of the cost of the drug.
- (3) For any benefit dispensed, an eligible person who is covered by a contract of third-party insurance is responsible for payment of the lesser of Idem
- (a) twenty per cent of the sum of the amounts calculated under clauses (2)(a) and (b); and
- (b) the balance owing after reimbursement for the benefit by the person’s third-party insurer.

Part 3

Diabetes Drug Program

6. (1) In this Part, “program” means the Diabetes Drug Program. Definition
- (2) There is hereby established a program under the Plan entitled the Diabetes Drug Program. Program established
7. (1) A resident, or another person on behalf of a resident, may apply to the Administrator in the form approved by the Administrator for enrolment in the program. Enrolment
- (2) A resident is eligible to be enrolled in the program if the resident Eligibility criteria
- (a) is diagnosed by a medical practitioner as having diabetes; and
- (b) is entitled to payment for basic health service benefits under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*.
- (3) On receipt of an application made in accordance with subsection (1), the Administrator shall review the application and may enrol or re-enrol the applicant in the program if the Administrator is satisfied that the applicant meets the requirements for enrolment set out in subsection (2). Review of application

- (4) An eligible person ceases to be eligible for benefits under the program, and the person's coverage ceases, Cessation of eligibility
- (a) on the day the person leaves the province to establish residence in another province or country; or
 - (b) on the day the person ceases to be an entitled person under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*.
- 8.** (1) The program shall pay to or on behalf of an eligible person the eligible cost of a benefit, subject to subsection (2) or (3), as applicable, and any requirements set out in the formulary, in accordance with these regulations and the terms of the agreement or, where there is no agreement, as determined by the Minister. Payment of eligible cost of benefit
- (2) For any benefit dispensed, an eligible person who is not covered by a contract of third-party insurance is responsible for payment of Co-payment
- (a) the first \$10 of the cost of each 10 ml. vial of insulin dispensed;
 - (b) the first \$11 of the cost of each prescription of oral diabetes medications dispensed;
 - (c) the first \$11 of the cost of each 50-count box of urine testing strips dispensed;
 - (d) for blood testing strips,
 - (i) the first \$11 of the cost of 100 blood testing strips dispensed every 30 days, and
 - (ii) the full cost of any additional blood testing strips dispensed in that 30-day period; and
 - (e) the first \$20 of the cost of each box of 3 x 5 ml. insulin cartridges dispensed.
- (3) For any benefit dispensed, an eligible person who is covered by a contract of third-party insurance is responsible for payment of the lesser of Idem
- (a) twenty per cent of the applicable amount specified in clauses (2)(a) to (c), subclause (2)(d)(i) and clause (2)(e); and
 - (b) the balance owing after reimbursement for the benefit by the person's third-party insurer.

Part 4

Family Health Benefit Drug Program

- 9.** (1) In this Part, Definitions
- (a) "dependant" means a child dependant
 - (i) who is younger than 19 years of age and does not have a spouse, or
 - (ii) who is younger than 25 years of age and is a full-time student at a post-secondary institution and does not have a spouse;
 - (b) "household" means an applicant, the applicant's spouse and their dependants or, if the applicant does not have a spouse, the applicant and the applicant's dependants; household
 - (c) "income", subject to section 47, means the net income as reported by the applicant and the applicant's spouse, if the applicant has a spouse, on line 236 of the applicant's and spouse's annual income tax returns for the preceding taxation year as filed with and verified by the Canada Revenue Agency; income
 - (d) "program" means the Family Health Benefit Drug Program. program
- (2) There is hereby established a program under the Plan entitled the Family Health Benefit Drug Program. Program established
- 10.** (1) A resident, on behalf of the resident's household, may apply to the Administrator in the form approved by the Administrator for enrolment or re-enrolment in the program. Enrolment
- (2) A dependant may be enrolled in only one household. Idem
- (3) A household is eligible to be enrolled or re-enrolled in the program if Eligibility criteria
- (a) all the members of the household named on the application
 - (i) are residents, and

- (ii) are entitled to payment for basic health service benefits under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*;
- (b) the household meets the criteria respecting income set out in Schedule A to these regulations; and
- (c) the household provides the required information respecting the income of the household, or sufficient information to enable the Administrator to obtain the information pursuant to subsection 8(2) of the Act.
- (4) A household or a member of a household ceases to be eligible for enrolment in the program, and the household's or member's coverage under the program, as the case may be, ceases, Cessation of eligibility
- (a) on the day that the household or member of the household leaves the province to establish residence in another province or country;
- (b) on the day that the member or members of the household cease to qualify as entitled persons under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*; or
- (c) on the day there are no longer any dependants in the household.
- (5) On receipt of an application made in accordance with subsection (1), the Administrator shall review the application and may enrol or re-enrol the household in the program if the Administrator is satisfied that the household meets the requirements for enrolment set out in subsection (3). Review of application
- (6) Each member of a household enrolled under subsection (5) is an eligible person. Effect of enrolment
- (7) Enrolment in the program is valid for a term of one year from the date of enrolment or re-enrolment, as the case may be. Program year
- 11.** (1) The program shall pay to or on behalf of an eligible household the eligible cost of a benefit, subject to subsections (2) and (3) and any requirements set out in the formulary, in accordance with these regulations and the terms of the agreement or, where there is no agreement, as determined by the Minister. Payment of eligible cost of benefit
- (2) For any benefit dispensed, a person in an eligible household who is not covered by a contract of third-party insurance is responsible for payment of the dispensing fee charged by the participating pharmacy. Co-payment
- (3) For any benefit dispensed, a person in an eligible household who is covered by a contract of third-party insurance is responsible for payment of the lesser of Idem
- (a) twenty per cent of the dispensing fee charged by the dispensing pharmacy; and
- (b) the balance owing after reimbursement for the benefit by the person's third-party insurer.

Part 5

High-Cost Drug Program

- 12.** (1) In this Part, Definitions
- (a) "dependant" means a child dependant
- (i) who is younger than 19 years of age and does not have a spouse, or
- (ii) who is younger than 25 years of age and is a full-time student at a post-secondary institution and does not have a spouse;
- (b) "high-cost drug" means a high-cost drug specified as such in the formulary; high-cost drug
- (c) "household income", subject to section 47, means the total of the amounts claimed by the applicant and the applicant's spouse, if the applicant has a spouse, on line 236 of the applicant's and spouse's annual income tax returns for the preceding taxation year as filed with and verified by the Canada Revenue Agency, less a deduction from income of \$3,000 for each dependant; household income
- (d) "program" means the High-Cost Drug Program. program

(2) There is hereby established a program under the Plan entitled the High-Cost Drug Program. Program established

13. (1) A resident may apply to the Administrator in the form approved by the Administrator for enrolment or re-enrolment in the program. Enrolment

(2) A resident is eligible to be enrolled or re-enrolled in the program if the resident Eligibility criteria

(a) is entitled to payment for basic health service benefits under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*;

(b) meets the clinical criteria for treatment with a high-cost drug as specified in the formulary; and

(c) provides the required household income information, or sufficient information to enable the Administrator to obtain the information pursuant to subsection 8(2) of the Act.

(3) On receipt of an application made in accordance with subsection (1), the Administrator shall review the application and may enrol or re-enrol the applicant in the program if the Administrator is satisfied that the applicant meets the requirements for enrolment or re-enrolment set out in subsection (2). Review of application

(4) An eligible person ceases to be eligible for benefits under the program Cessation of eligibility

(a) on the day the person leaves the province to establish residence in another province or country; or

(b) on the day the person ceases to be an entitled person under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*.

(5) Enrolment in the program is valid for a term of one year from the date of enrolment or re-enrolment, as the case may be. Program year

14. (1) The program shall pay to or on behalf of an eligible person the eligible cost of a benefit, subject to subsection (2) or (3), as applicable, and any requirements set out in the formulary, in accordance with these regulations and the terms of the agreement or, where there is no agreement, as determined by the Minister. Payment of eligible cost of benefit

(2) For any benefit dispensed, an eligible person who is not covered by a contract of third-party insurance is responsible for payment of Co-payment

(a) the dispensing fee charged by the participating pharmacy; and

(b) the maximum co-payment amount set out in Schedule B to these regulations.

(3) For any benefit dispensed, an eligible person who is covered by a contract of third-party insurance is responsible for payment of the lesser of *Idem*

(a) the sum of

(i) twenty per cent of the dispensing fee charged by the participating pharmacy, and

(ii) twenty per cent of the applicable maximum co-payment amount set out in Schedule B; and

(b) the balance owing after reimbursement for the benefit by the person's third-party insurer.

Part 6

Catastrophic Drug Program

15. (1) In this Part, Definitions

(a) "catastrophic costs" means the sum of catastrophic costs

(i) the price paid by the household that does not exceed the maximum reimbursable price for a drug or supplies listed in the formulary and dispensed for the purposes of this program, and not reimbursed under a program under another enactment or an Act of the Parliament of Canada, by a provider of third-party insurance or by another person, and

(ii) the dispensing fee to the maximum approved in the agreement and not reimbursed under a program under another enactment or

- an Act of the Parliament of Canada, by a provider of third-party insurance or another person;
- (b) “dependant” means a child of the applicant or the applicant’s spouse, if the applicant has a spouse, dependant
- (i) who is younger than 19 years of age and does not have a spouse, or
 - (ii) who is between the ages of 19 and 25, is a full-time student, and does not have a spouse;
- (c) “household”, subject to section 47, means household
- (i) the applicant,
 - (ii) the applicant and the applicant’s spouse,
 - (iii) the applicant and the applicant’s dependants, or
 - (iv) the applicant, the applicant’s spouse and their dependants,
- as the case may be;
- (d) “income”, subject to section 47, means the combined income of the applicant and the applicant’s spouse, if the applicant has a spouse, as set out in the applicant’s and spouse’s income tax returns for the preceding tax year as filed with and verified by the Canada Revenue Agency, calculated as set out in Schedule C to these regulations; income
- (e) “maximum reimbursable price” means the maximum reimbursable price for a drug product as defined in the *Drug Product Interchangeability and Pricing Act* R.S.P.E.I. 1988, Cap. D-15; maximum reimbursable price
- (f) “program” means the Catastrophic Drug Program. program
- (2) There is hereby established a program under the Plan entitled the Catastrophic Drug Program. Program established
- 16.** (1) A resident may apply on behalf of the resident’s household to the Administrator in the form approved by the Administrator for enrolment or re-enrolment of the household in the program. Enrolment
- (2) A dependant may only be enrolled in one household. Idem
- (3) An applicant and the applicant’s household are eligible to be enrolled or re-enrolled in the program if Eligibility criteria
- (a) the applicant and the other members of the household are residents;
 - (b) the applicant and the other members of the household are entitled to payment for basic health service benefits under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*; and
 - (c) the applicant provides the required information respecting income, or sufficient information to enable the Administrator to obtain the information pursuant to subsection 8(2) of the Act.
- (4) On receipt of an application made in accordance with subsection (1), the Administrator shall review the application and may enrol or re-enrol the applicant and the applicant’s household in the program if the Administrator is satisfied that the applicant and the household meet the requirements for enrolment set out in subsection (3). Review of application
- (5) The applicant and each member of the applicant’s household enrolled under subsection (4) are eligible persons under the program. Effect of enrolment
- (6) An eligible person ceases to be eligible for benefits under the program, and the person’s coverage under the program ceases, Cessation of eligibility
- (a) on the day the person leaves the province to establish residence in another province or country; or
 - (b) on the day the person ceases to be an entitled person under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*.
- (7) The program year runs from July 1 to June 30. Program year
- 17.** (1) The program shall pay to or on behalf of a member of a household enrolled under section 16 the eligible cost of a benefit, subject to subsection (2) and any requirements set out in the formulary, in Payment of eligible cost of benefit

accordance with these regulations and the terms of the agreement or, where there is no agreement, as determined by the Minister.

(2) Before any benefit is dispensed under the program, the catastrophic costs incurred by a household in each program year shall exceed a specified percentage of the income of the household for that year as set out in Schedule D to these regulations. Eligible costs

(3) An eligible person who pays a premium attributable to coverage for prescription drugs under a contract or plan of third-party insurance is entitled to a deduction from income equal to the premiums paid, up to a maximum of \$2,500 per household. Credit toward eligible costs

(4) When a household has incurred the catastrophic costs determined in accordance with subsections (2) and (3), the program shall pay to or on behalf of a member of the household the eligible cost of benefits not reimbursable in respect of that member under a contract of third-party insurance for the balance of the program year. Payment of cost of benefits

Part 7

Financial Assistance Drug Program

18. (1) In this Part, “program” means the Financial Assistance Drug Program. Definition, program

(2) There is hereby established a program under the Plan entitled the Financial Assistance Drug Program. Program established

19. (1) An individual is entitled to benefits as an eligible person under the program if the individual is in receipt of social assistance in the form of financial assistance under the *Social Assistance Act* R.S.P.E.I. 1988, Cap. S-4.3. Eligibility criteria

(2) An eligible person ceases to be eligible for benefits under the program, and the person’s coverage ceases, if the person ceases to be entitled to social assistance in the form of financial assistance under the *Social Assistance Act*. Cessation of eligibility

20. The program shall pay to or on behalf of an eligible person the eligible cost of a benefit, subject to any requirements set out in the formulary, in accordance with these regulations and the terms of the agreement or, where there is no agreement, as determined by the Minister. Payment of eligible cost of benefit

Part 8

Child in Care Drug Program

21. (1) In this Part, “program” means the Child in Care Drug Program. Definition, program

(2) There is hereby established a program under the Plan entitled the Child in Care Drug Program. Establishment of program

22. (1) A person for whom the Director of Child Protection has developed a plan of care under the *Child Protection Act* R.S.P.E.I. 1988, Cap. C-5.1, is entitled to benefits under the program. Eligibility criteria

(2) A person ceases to be eligible for benefits under the program, and the person’s coverage ceases, when the person is no longer the subject of a plan of care under the *Child Protection Act*. Cessation of eligibility

23. The program shall pay to or on behalf of an eligible person the eligible cost of a benefit, subject to any requirements set out in the formulary, in accordance with these regulations and the terms of the agreement or, where there is no agreement, as determined by the Minister. Payment of eligible cost of benefit

Part 9

Nursing Home Drug Program

- 24.** (1) In this Part, “program” means the Nursing Home Drug Program. Definition, program
- (2) There is hereby established a program under the Plan entitled the Nursing Home Drug Program. Establishment of program
- 25.** (1) A resident is entitled to benefits under the program if the individual Eligibility criteria
- (a) is determined to be entitled to financial assistance under the *Long-Term Care Subsidization Act* R.S.P.E.I. 1988, Cap. L-16.1; and
- (b) is entitled to payment for basic health service benefits under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*.
- (2) An eligible person ceases to be eligible for benefits under the program, and the person’s coverage ceases, Cessation of eligibility
- (a) on the day the person is no longer entitled to financial assistance under the *Long-Term Care Subsidization Act*;
- (b) on the day the person leaves the province to establish residence in another province or country; or
- (c) on the day the person ceases to be an entitled person under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*.
- 26.** The program shall pay to or on behalf of an eligible person the eligible cost of a benefit, subject to any requirements set out in the formulary, in accordance with these regulations and the terms of the agreement or, where there is no agreement, as determined by the Minister. Payment of eligible cost of benefit

Part 10

Smoking Cessation Drug Program

- 27.** (1) In this Part, Definitions
- (a) “program” means the Smoking Cessation Drug Program; program
- (b) “program year” means twelve months from the date of a person’s registration in a program of addiction services through Health PEI referred to in clause 28(1)(a). program year
- (2) There is hereby established a program under the Plan entitled the Smoking Cessation Program. Establishment of program
- 28.** (1) A resident is entitled to benefits under the program if the resident Eligibility criteria
- (a) is enrolled in a smoking cessation program through Health PEI; and
- (b) is entitled to payment for basic health service benefits under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*.
- (2) An eligible person ceases to be eligible for benefits under the program, and the person’s coverage ceases, Cessation of eligibility
- (a) on the day the person leaves the province to establish residence in another province or country; or
- (b) on the day the person ceases to be an entitled person under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*.
- 29.** (1) The program shall pay to or on behalf of an eligible person the eligible cost of a benefit, subject to subsection (2) and any requirements set out in the formulary, in accordance with these regulations and the terms of the agreement or, where there is no agreement, as determined by the Minister. Payment of eligible cost of benefit
- (2) The maximum aggregate amount payable by the program in a program year for benefits and dispensing fees is \$75. Maximum

Part 11

Sexually Transmitted Disease Drug Program

- 30.** (1) In this Part, Definitions
- (a) “program” means the Sexually Transmitted Disease Drug program
- (b) “program month” means thirty days from the date of registration in the program; program month
- (c) “sexually transmitted disease” means chlamydia or gonorrhoea. sexually transmitted disease
- (2) There is hereby established a program under the Plan entitled the Sexually Transmitted Disease Drug Program. Establishment of program
- 31.** A person is entitled to benefits under the program if the person is Eligibility criteria
- (a) diagnosed by a medical practitioner as having a sexually transmitted disease; or
- (b) identified as a sexual contact of a person diagnosed by a medical practitioner as having a sexually transmitted disease.
- 32.** The program shall pay to or on behalf of an eligible person the eligible cost of a benefit per program month, subject to any requirements set out in the formulary, in accordance with these regulations and the terms of the agreement or, where there is no agreement, as determined by the Minister. Payment of eligible cost of benefit

Part 12

Opioid Replacement Therapy Drug Program

- 33.** (1) In this Part, “program” means the Opioid Replacement Therapy Drug Program. Definition, program
- (2) There is hereby established a program under the Plan entitled the Opioid Replacement Therapy Drug Program. Establishment of program
- 34.** (1) A person is entitled to benefits under the program if the person is Eligibility criteria
- (a) assessed by a clinical team through Health PEI and determined to be a person who requires treatment for an opioid dependency; and
- (b) registered in a program of opioid addiction therapy through Health PEI.
- (2) An eligible person ceases to be eligible for benefits under the program, and the person’s coverage ceases, on the day the person is no longer registered in a program of addiction services through Health PEI for the treatment of an opioid dependency. Cessation of eligibility
- 35.** The program shall pay to or on behalf of an eligible person the eligible cost of a benefit, subject to any requirements set out in the formulary, in accordance with these regulations and the terms of the agreement or, where there is no agreement, as determined by the Minister. Payment of eligible cost of benefit

Part 13

Insulin Pump Program

- 36.** (1) In this Part, Definitions
- (a) “eligible insulin pump program costs” means the percentage of eligible insulin pump program costs costs paid by the program for
- (i) one insulin pump of a type approved in the formulary for use under the program every five years, and
- (ii) the annual supplies approved in the formulary and required for the operation of the insulin pump as set out in Schedule G to these regulations,
- but does not include insulin or blood testing strips;
- (b) “income”, subject to section 47, means the total income reported by the applicant and the applicant’s spouse, if the applicant has a spouse, on the applicant’s and the spouse’s income tax returns for the preceding taxation year as filed with and verified by the Canada income

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| Revenue Agency, calculated as set out in Schedule E to these regulations; | |
| (c) “program” means the Insulin Pump Program; | program |
| (d) “program year” means one year from the date of enrolment or re-enrolment, as the case may be. | program year |
| (2) There is hereby established a program under the Plan entitled the Insulin Pump Program. | Establishment of program |
| 37. (1) A resident may apply to the Administrator for enrolment in the program on behalf of a person who meets the criteria set out in subsection (2), or that person may apply on his or her own behalf. | Application |
| (2) A resident is entitled to benefits under the program if the resident has been diagnosed by a medical practitioner as having Type 1 diabetes and | Eligibility criteria |
| (a) is less than 19 years of age; | |
| (b) has been assessed by a diabetes health care team and registered in the Insulin Pump Therapy Program through Health PEI; and | |
| (c) is entitled to payment for basic health service benefits under the <i>Health Services Payment Act</i> and the <i>Hospital and Diagnostic Services Insurance Act</i> . | |
| (3) An eligible person ceases to be eligible for benefits under the program, and the person’s coverage ceases, | Cessation of eligibility |
| (a) on the day the person attains the age of 19 years; | |
| (b) on the day the person ceases to be registered in the Insulin Pump Therapy Program through Health PEI; | |
| (c) on the day the person leaves the province to establish residence in another province or country; or | |
| (d) on the day the person ceases to be an entitled person under the <i>Health Services Payment Act</i> and the <i>Hospital and Diagnostic Services Insurance Act</i> . | |
| 38. (1) The program shall pay to or on behalf of an eligible person the eligible cost of a benefit, subject to subsections (2) and (3) and any requirements set out in the formulary, in accordance with these regulations. | Payment of eligible cost of benefit |
| (2) The program shall pay to or on behalf of an eligible person who is not covered by a contract of third-party insurance the eligible insulin pump program costs as set out in Schedule F to these regulations. | <i>Idem</i> |
| (3) The program shall pay to or on behalf of an eligible person who is covered by a contract of third-party insurance the balance remaining of the eligible insulin pump program costs as set out in Schedule F to these regulations after reimbursement for the insured portion of those costs by the person’s third-party insurer. | <i>Idem</i> |
| Part 14 | |
| Program Administration | |
| 39. (1) All benefits, except those provided to an eligible person who has been referred for medical care outside the province, shall be dispensed only within the province unless otherwise authorized by the Minister. | Benefits dispensed in province |
| (2) An eligible person shall present the person's health card when requesting benefits from a pharmacy or other provider of a benefit. | Presentation of health card |
| 40. For any benefit dispensed, the relevant program is not responsible for payment of any difference in price between a benefit price as determined by the Minister with reference to the formulary, and the price of a comparable but more expensive product chosen by the eligible person, unless the more expensive product has been specifically authorized in accordance with section 3 of the Interchangeable Drug Product Substitution Regulations under the <i>Pharmacy Act</i> . | Payment of difference in price |
| 41. In dispensing a benefit under a program, a participating pharmacy shall not charge a dispensing fee higher than the fee set in the agreement or, if the agreement does not set a fee, as determined by the Minister. | Professional service fee limits |

- 42.** (1) Where a participating pharmacy provides a benefit to an eligible person, the pharmacy shall, within 90 days of providing the benefit, submit a claim to the appropriate program in the form required by the Administrator and supply the following information: Requirements for submission of claim by pharmacy
- (a) the identification number of the participating pharmacy as assigned by the Plan;
 - (b) the health number of the eligible person;
 - (c) the drug identification number of the benefit dispensed;
 - (d) the quantity dispensed;
 - (e) the intended duration of the therapy, stated in days;
 - (f) the date the benefit was dispensed;
 - (g) the prescription number;
 - (h) the dispensing fee charged;
 - (i) the total amount charged for the benefit;
 - (j) whether the prescription was new or a repeat of a previous prescription;
 - (k) the identification number of the prescriber, as assigned or confirmed by the Plan;
 - (l) the identification number of the dispensing pharmacist, as assigned or confirmed by the Plan;
 - (m) in the case of a claim in printed form, the name and address of the participating pharmacy and the signature of its authorized agent;
 - (n) the amount or amounts previously paid by the eligible person; and
 - (o) any further information or other requirements the Administrator considers necessary in order to assess the claim and make payment.
- (2) The Administrator shall assess claims submitted to the Plan with respect to their validity and determine whether payment should be made under the Plan. Assessment of claims
- (3) Where a claim is rejected by the Administrator, a participating pharmacy may submit it again for reconsideration, with amendment or explanation not later than 90 days from the date on which the benefit was provided. Resubmission of rejected claim
- (4) Where the Administrator issues payment for a claim in respect of which the benefit was not actually provided, the participating pharmacy that submitted the claim shall within 90 days submit a reversal of the claim, and the amount of the incorrect payment shall be recovered by the Administrator by deduction from payment of other claims submitted by that pharmacy. Incorrect payment
- 43.** (1) An eligible person who receives a benefit under a program for which a claim has not been submitted under section 42 may, within six months of the date of receiving the benefit, submit a claim for direct reimbursement to the Administrator in the form required by the Administrator together with the following information: Requirements for submission of claim by eligible person
- (a) the prescription number;
 - (b) the drug identification number of the benefit dispensed;
 - (c) the quantity dispensed;
 - (d) the identity of the prescriber;
 - (e) the total cost of the prescription;
 - (f) an itemized receipt from the non-participating pharmacy; and
 - (g) the health number of the eligible person.
- (2) Where a benefit is provided to an eligible person in the circumstances set out in subsection (1), the amount payable for the benefit shall be paid directly to the eligible person. Payment to eligible person
- (3) Where a participating pharmacy is unable to Payment by person
- (a) confirm the eligibility of a person under a program;
 - (b) confirm the drug or supply being dispensed is a benefit; or
 - (c) successfully submit a claim to the Administrator electronically,
- the pharmacy may directly charge the person for the cost of the dispensed item, and the person may submit a claim to the Plan in accordance with subsection (1).
- 44.** (1) The payment to a participating pharmacy for benefits dispensed to an eligible person under a program shall be at the rate specified in the agreement or as set by the Minister by order under the *Drug Product* Payment to participating pharmacy

Interchangeability and Pricing Act, less the amount of any co-payment required under these regulations.

(2) Where a participating pharmacy submits a claim for benefits in accordance with section 43 and is paid an amount under the Plan, the payment is payment in full of the claim and no other claim, except for the required co-payment, shall be made against any other person or organization. Effect of payment

45. A compounded preparation prescribed by a prescriber is a benefit for the purposes of these regulations, subject to any requirements or restrictions of the formulary, if Extemporaneous preparations

- (a) the preparation is compounded by a pharmacist;
- (b) the preparation as compounded does not duplicate the formulation of a manufactured drug product that is currently available; and
- (c) the active ingredients of the preparation as compounded are, in the opinion of the Administrator, of therapeutic benefit in the concentrations provided and the recommended manner of use.

46. (1) An eligible person may apply to the Administrator in the form approved by the Administrator to vary the terms of the person's enrolment in a program for which the person continues to be eligible where there has been a material change in the person's circumstances, including, but not limited to, a change in Application for variation in enrolment

- (a) income;
- (b) marital status; or
- (c) number of dependants.

(2) An applicant under subsection (1) shall provide to the Administrator any information, including any relevant documents or records, required by the Administrator to establish the applicant's change in circumstances. Information required

(3) On receipt of an application made in accordance with subsection (1), the Administrator shall review the application and may vary the terms of the applicant's enrolment if the Administrator is satisfied that the applicant's change in circumstances is established. Review of application

(4) The Administrator shall notify an applicant under this section of the Administrator's decision under subsection (3) and, where the Administrator determines that the requirements for a variation have not been met, the reasons for that determination, within 14 days. Notification

(5) A variation of an applicant's terms of enrolment under this section takes effect on the date specified by the Administrator. When variation is effective

47. (1) For the purposes of enrolment, or a variation in the terms of a person's enrolment, in the Family Health Benefit Drug Program, the High Cost Drug Program, the Catastrophic Drug Program or the Insulin Pump Program, an applicant or eligible person may establish that he or she is separated from his or her spouse by submitting to the Administrator with his or her application a statutory declaration in the form approved by the Minister confirming the separation and providing the respective addresses of the applicant and, if known, the applicant's spouse. Where spouses are separated

(2) On receipt of an application made in accordance with subsection (1), the Administrator shall review the application and may, if the Administrator is satisfied that the spouses are living separate and apart, vary the terms of the applicant's enrolment, or enrol the applicant without requiring the production of the income information of the applicant's spouse. Review of application

(3) Where, after review of an application under subsection (2), the Administrator determines that the spouses are not living separate and apart, the Director may refuse to enrol the applicant or to vary the terms of the applicant's enrolment as specified in the application, as the case may be. Grounds for refusal, etc.

(4) The Administrator shall notify an applicant under this section of the Administrator's decision under subsection (2) or determination under subsection (3) and, where the Administrator is not satisfied that the Notification

spouses are living separate and apart, of the reasons for the decision, within 14 days.

(5) Where the Administrator is satisfied that an applicant has established, in accordance with subsection (1), that he or she is separated from his or her spouse, his or her spouse's income shall not be included in the calculation of household income or income for the purposes of the person's enrolment in the High Cost Drug Program, the Family Health Benefit Drug Program, the Insulin Pump Program or the Catastrophic Drug Program, as the case may be. Effect of separation

48. A person who is aggrieved by a decision or determination of the Administrator under subsection 10(5), 13(3), 16(4), 46(3) or 47(2) or (3) may appeal that decision or determination to the Minister in accordance with section 17 of the Act. Appeal

49. (1) A person who was in receipt of benefits under the Seniors Drug Program under the *Drug Cost Assistance Act* General Regulations (EC511/97) immediately prior to the coming into force of these regulations is deemed to be enrolled in the Seniors Drug Program under these regulations. Transitional

(2) A person who was in receipt of benefits under or was enrolled in the following programs as they existed immediately prior to the coming into force of these regulations is deemed, on the coming into force of these regulations, to be a person enrolled in the equivalent program under these regulations: Idem

- (a) the Diabetes Drug Program;
- (b) the Family Health Benefit Drug Program;
- (c) the High-Cost Drug Program;
- (d) the Catastrophic Drug Program;
- (e) the Financial Assistance Drug Program;
- (f) the Child in Care Drug Program;
- (g) the Nursing Home Drug Program;
- (h) the Smoking Cessation Drug Program;
- (i) the Sexually Transmitted Disease Drug Program;
- (j) the Opioid Replacement Therapy Drug Program.

50. Schedules A to G are hereby adopted and form part of these regulations. Schedules adopted

51. The *Drug Cost Assistance Act* General Regulations (EC511/97) are revoked. Revocation

52. These regulations come into force on July 1, 2014. Commencement

Schedule A

Criteria for coverage under the Family Health Benefit Drug Program:

| Number of Dependants | Income (as defined in section 9) |
|----------------------|---|
| 1 | Less than \$24,800 |
| 2 | Less than \$27,800 |
| 3 | Less than \$30,800 |
| 4 | Less than \$33,800 |
| more than 4 | Add \$3,000 per each additional dependant |

Schedule B

Co-payment required under the High Cost Drug Program:

| Financial Assistance Recipients | | Maximum Co-payment per prescription |
|--|----------|--|
| (any level) | | \$2 |
| Household Income | | Maximum Co-payment per prescription |
| \$0 | \$14,000 | \$7 |
| \$14,001 | \$15,999 | \$25 |
| \$16,000 | \$17,999 | \$32 |
| \$18,000 | \$19,999 | \$40 |
| \$20,000 | \$21,999 | \$48 |
| \$22,000 | \$23,999 | \$57 |
| \$24,000 | \$25,999 | \$68 |
| \$26,000 | \$27,999 | \$79 |
| \$28,000 | \$29,999 | \$91 |
| \$30,000 | \$31,999 | \$103 |
| \$32,000 | \$33,999 | \$117 |
| \$34,000 | \$35,999 | \$131 |
| \$36,000 | \$37,999 | \$146 |
| \$38,000 | \$39,999 | \$162 |
| \$40,000 | \$41,999 | \$179 |
| \$42,000 | \$43,999 | \$197 |
| \$44,000 | \$45,999 | \$216 |
| \$46,000 | \$47,999 | \$235 |
| \$48,000 | \$49,999 | \$255 |
| \$50,000 | \$51,999 | \$287 |
| \$52,000 | \$53,999 | \$320 |
| \$54,000 | \$55,999 | \$355 |
| \$56,000 | \$57,999 | \$392 |
| \$58,000 | \$59,999 | \$430 |
| \$60,000 | \$61,999 | \$470 |
| \$62,000 | \$63,999 | \$512 |
| \$64,000 | \$65,999 | \$555 |
| \$66,000 | \$67,999 | \$600 |

| | | |
|-------------|-----------|--------------|
| \$68,000 | \$69,999 | \$647 |
| \$70,000 | \$71,999 | \$695 |
| \$72,000 | \$73,999 | \$745 |
| \$74,000 | \$75,999 | \$797 |
| \$76,000 | \$77,999 | \$850 |
| \$78,000 | \$79,999 | \$905 |
| \$80,000 | \$81,999 | \$962 |
| \$82,000 | \$83,999 | \$1,020 |
| \$84,000 | \$85,999 | \$1,080 |
| \$86,000 | \$87,999 | \$1,142 |
| \$88,000 | \$89,999 | \$1,205 |
| \$90,000 | \$91,999 | \$1,270 |
| \$92,000 | \$93,999 | \$1,337 |
| \$94,000 | \$95,999 | \$1,405 |
| \$96,000 | \$97,999 | \$1,475 |
| \$98,000 | \$99,999 | \$1,547 |
| \$100,000 | \$109,999 | \$1,684 |
| \$110,000 | \$119,999 | \$1,893 |
| \$120,000 | \$129,999 | \$2,109 |
| \$130,000 | \$139,999 | \$2,334 |
| \$140,000 | \$149,999 | \$2,568 |
| > \$150,000 | | Not eligible |

Schedule C

Calculation of income for the purposes of the Catastrophic Drug Program:

Income is the total of the incomes of the applicant and the applicant's spouse, if the applicant has a spouse, as shown on the applicant's and spouse's tax return for the previous taxation year, calculated as follows:

Income = Line 150 (total income)
 less Line 210 (split pensions amount)
 less Line 214 (child care expenses)
 less Line 220 (support payments made)

Schedule D

Eligible costs for the purposes of the Catastrophic Drug Program:

| Income | Eligible costs (as a percentage of total costs) |
|----------------------|---|
| \$0-\$20,000 | 3% |
| \$20,001-\$50,000 | 5% |
| \$50,001-\$100,000 | 8% |
| \$100,001 or greater | 12% |

Schedule E**Insulin Pump Program**

Calculation of income for the purposes of the Insulin Pump Program:

Income is the total of the incomes reported by the applicant and the applicant's spouse, if the applicant has a spouse, on the applicant's and the spouse's annual income tax returns for the preceding tax year, as filed with and verified by the Canada Revenue Agency, calculated as follows:

Income =
 Applicant's Income from Line 150
 less Line 210 (split income)
 less Line 214 (child care expenses)
 less Line 220 (support payments made)

ADDED TO

Spouse's Income from Line 150, if any
 less Line 210 (split income)
 less Line 214 (child care expenses)
 less Line 220 (support payments made)

Schedule F

Eligible insulin pump program costs for the purposes of the Insulin Pump Program:

| Income | Eligible costs (as a percentage of total costs) |
|-----------------------|---|
| \$0 to \$20,000 | 90% |
| \$20,001 to \$50,000 | 80% |
| \$50,001 to \$100,000 | 70% |
| \$100,001 or greater | 60% |

Schedule G

Annual supplies covered as eligible insulin pump program costs under the Insulin Pump Program:

- infusion sets - to a maximum of 140 per year
- insulin reservoirs - to a maximum of 140 per year
- site inserters - a maximum of 1 replacement inserter per year
- skin adhesive wipes - to a maximum of 150 per year
- sterile transparent dressings - to a maximum of 200 per year

EXPLANATORY NOTES

SECTION 1 establishes general definitions to be used in the regulations, including the definitions of the terms “agreement”, “eligible cost”, “resident” and “spouse”.

SECTION 2 provides that where an eligible person has or is covered by a contract or plan of third-party insurance as referred to in section 5 of the Act, or is entitled to benefits as described in section 6 of the Act, any claim by, or by a participating pharmacy on behalf of, the eligible person for benefits must be submitted first to the third-party insurer or other benefit provider before submitting a claim for the outstanding balance to the Administrator.

SECTIONS 3 to 5 continue the Seniors Drug Program as a program under the Plan and provide for its administration. Section 3 continues the program. Section 4 establishes the eligibility criteria for the program and authorizes the Administrator to enrol an eligible person in the program. It also provides that an eligible person’s eligibility ceases when the person leaves the province to establish residence elsewhere or when the person ceases to be an entitled person under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*. Section 5 provides for payment of the eligible cost of a benefit to an eligible person, subject to a requirement that the eligible person pay the co-payment amount and other costs as specified in subsections 5(2) and (3).

SECTIONS 6 to 8 establish the Diabetes Drug Program as a program under the Plan and provide for its administration. Section 6 establishes the program. Section 7 establishes the eligibility criteria for the program and authorizes the Administrator to enrol an eligible person in the program. It also provides that an eligible person’s eligibility ceases when the person leaves the province to establish residence elsewhere or when the person ceases to be an entitled person under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*. Section 8 provides for payment of the eligible cost of a benefit to an eligible person, subject to a requirement that the eligible person pay the co-payment amount and other costs as specified in subsections 8(2) and (3).

SECTIONS 9 to 11 establish the Family Health Benefit Drug Program as a program under the Plan and provide for its administration. Section 9 establishes the program and defines “dependant”, “household” and “income” for the purposes of the program. Section 10 establishes the eligibility criteria for the program and authorizes the Administrator to enrol an eligible person in the program. All the members of the household to be enrolled must be residents and entitled to payment for basic health services under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*. The household is also required to meet the criteria respecting income set out in Schedule A to the regulations. Section 10 also provides that an eligible person’s eligibility ceases when the person leaves the province to establish residence elsewhere, when the person ceases to be an entitled person under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act* or when there are no longer any dependants in the household. Section 11 provides for payment of the eligible cost of a benefit to an eligible person, subject to a requirement that the eligible person pay the dispensing fee charged by the participating pharmacy.

SECTIONS 12 to 14 establish the High-Cost Drug Program as a program under the Plan and provide for its administration. Section 12 establishes the program and defines “dependant” and “household income” for the purposes of the program. Section 13 establishes the eligibility criteria for the program and authorizes the Administrator to enrol an eligible person in the program. In addition to being a resident and entitled to payment for basic health services under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*, the eligible person must meet the clinical criteria for treatment with a high-cost drug as specified in the formulary. The eligible person is also required to meet the criteria respecting income set

out in Schedule B to the regulations. Section 13 also provides that an eligible person's eligibility ceases when the person leaves the province to establish residence elsewhere or when the person ceases to be an entitled person under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*. Section 14 provides for payment of the eligible cost of a benefit to an eligible person, subject to a requirement that the eligible person pay the co-payment amount and dispensing fee as specified in subsections 14(2) and (3).

SECTIONS 15 to 17 establish the Catastrophic Drug Program as a program under the Plan and provide for its administration. Section 15 establishes the program and defines "dependant", "catastrophic costs", "household" and "income" for the purposes of the program. Section 16 establishes the eligibility criteria for the program and authorizes the Administrator to enrol an eligible person and the eligible person's household in the program. In addition to being residents and entitled to payment for basic health services under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*, the applicant is required to provide information respecting the income of the applicant and the applicant's spouse, if the applicant has a spouse, calculated as set out in Schedule C to the regulations. Section 16 also provides that an eligible person's eligibility ceases when the person leaves the province to establish residence elsewhere or when the person ceases to be an entitled person under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*. Section 17 provides for payment of the eligible cost of a benefit to an eligible person and the person's household after the catastrophic costs incurred by the household in the program year exceed the percentage of income specified in Schedule D, excluding any portion of the catastrophic costs covered by a contract of third-party insurance. An eligible person who pays a premium attributable to coverage for prescription drugs under a contract or plan of third-party insurance may claim a deduction from income in the amount of the premiums paid, to a maximum of \$2,500 per household.

SECTIONS 18 to 20 establish the Financial Assistance Drug Program as a program under the Plan and provide for its administration. Section 19 provides that a person is an eligible person under the program if the person is in receipt of social assistance in the form of financial assistance under the *Social Assistance Act*, and the person's eligibility ceases when the person ceases to be entitled to social assistance in the form of financial assistance under that Act. Section 20 provides for payment of the eligible cost of a benefit to an eligible person under the program.

SECTIONS 21 to 23 establish the Child in Care Drug Program as a program under the Plan and provide for its administration. Section 22 provides that a person is an eligible person under the program if the Director of Child Protection has developed a plan of care for the person under the *Child Protection Act*, and the person ceases to be eligible when the person is no longer the subject of a plan of care under that Act. Section 23 provides for payment of the eligible cost of a benefit to an eligible person under the program.

SECTIONS 24 to 26 establish the Private Nursing Home Drug Program as a program under the Plan and provide for its administration. Section 25 provides that a person is an eligible person under the program if the person is entitled to financial assistance under the *Long-Term Care Subsidization Act* and entitled to payment for basic health services under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*. An eligible person ceases to be eligible when the person is no longer entitled to financial assistance under the *Long-Term Care Subsidization Act*, leaves the province to establish residency elsewhere, or ceases to be an entitled person under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*. Section 26 provides for payment of the eligible cost of a benefit to an eligible person under the program.

SECTIONS 27 to 29 establish the Smoking Cessation Drug Program as a program under the Plan and provide for its administration. Section 28 provides that a person is an eligible person under the program if the

person is enrolled in a program of addiction services through Health PEI and entitled to payment for basic health services under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*. An eligible person ceases to be eligible when the person is no longer enrolled in a program of addiction services through Health PEI, leaves the province to establish residency elsewhere, or ceases to be an entitled person under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*. Section 29 provides for payment of the eligible cost of a benefit to an eligible person under the program, to a maximum of \$75 in a program year.

SECTIONS 30 to 32 establish the Sexually Transmitted Disease Drug Program as a program under the Plan and provide for its administration. Section 31 provides that a person is an eligible person under the program if the person is diagnosed as having a sexually transmitted disease as defined in section 30 or identified as a sexual contact of a person diagnosed as having a sexually transmitted disease. Section 32 provides for payment of the eligible cost of a benefit to an eligible person under the program.

SECTIONS 33 to 35 establish the Opioid Replacement Therapy Drug Program as a program under the Plan and provide for its administration. Section 34 provides that a person is an eligible person under the program if the person is assessed by a clinical team and determined to be a person who requires treatment for an opioid dependency and is registered in a program of addiction services through Health PEI. An eligible person ceases to be eligible when the person is no longer registered in a program of addiction services through Health PEI for the treatment of an opioid dependency. Section 35 provides for payment of the eligible cost of a benefit to an eligible person under the program.

SECTIONS 36 to 38 establish the Insulin Pump Program as a program under the Plan and provide for its administration. Section 36 establishes the program and defines “eligible insulin pump program costs” and “income” for the purposes of the program. Section 37 provides that a person is an eligible person under the program if the person is between 5 and 19 years of age and has been diagnosed by a medical practitioner as having Type 1 diabetes for at least one year or is under 5 years of age and insulin pump therapy has been recommended, has been assessed by a diabetes health care team and registered in the Insulin Pump Therapy Program through Health PEI, and is entitled to payment for basic health services under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*. An eligible person ceases to be eligible when the person turns 19 years of age, ceases to be registered in the Insulin Pump Therapy program through Health PEI, leaves the province to establish residency elsewhere, or ceases to be an entitled person under the *Health Services Payment Act* and the *Hospital and Diagnostic Services Insurance Act*.

SECTION 39 provides that benefits may only be dispensed within the province, unless an eligible person has been referred for medical care outside the province or as authorized by the Minister, and requires an eligible person to present the person’s health care card when requesting benefits.

SECTION 40 provides that the relevant program shall not pay the difference between a benefit price established in the formulary and the price of a comparable but more expensive product chosen by an eligible person unless the more expensive product has been specifically authorized in accordance with section 3 of the Interchangeable Drug Product Substitution Regulations under the Pharmacy Act.

SECTION 41 prohibits a participating pharmacy from charging a dispensing fee higher than the fee set in the agreement or, if the agreement does not set a fee, as determined by the Minister.

SECTION 42 establishes the procedure to be followed by a participating pharmacy in submitting a claim for a benefit provided to an eligible person and specifies the information to be provided by the pharmacy in

support of the claim. The claim is required to be submitted within 90 days of the provision of the benefit. The Administrator is authorized to assess the claim and determine whether payment should be made under the Plan in respect of it. If a claim is rejected, the pharmacy may resubmit it with amendment or explanation within 90 days. The section further provides that where a claim was paid in error or for benefits that were not actually provided, the amount of the incorrect payment may be recovered by the Administrator by deduction from payment of other claims submitted by the pharmacy.

SECTION 43 establishes the procedure to be followed by an eligible person who receives a benefit from a non-participating pharmacy or another person, or where a participating pharmacy is unable to confirm the eligibility of a person under a program. The eligible person may submit a claim for direct reimbursement to the Administrator within 6 months, and the claim amount shall be paid directly to the eligible person.

SECTION 44 provides that the payment for benefits shall be at the rate established in the formulary, less the amount of any co-payment required under the regulations. It also provides that where payment is made under the Plan in respect of a claim for benefits, it is payment in full and no other claim, except in respect of a required co-payment, shall be made against any other person or organization.

SECTION 45 provides that an extemporaneous preparation prescribed by a prescriber is a benefit if the preparation is compounded by a pharmacist and the preparation as compounded does not duplicate the formulation of a manufactured drug product.

SECTION 46 authorizes an eligible person to apply to the Administrator to vary the terms of the person's enrolment in a program by providing the Administrator with information in support of the applicant's change in circumstances. The Administrator, on reviewing the applicant's information, may vary the terms of enrolment if satisfied that the change in circumstances is established, and shall notify the applicant of the Administrator's decision within 14 days.

SECTION 47 permits an applicant for, or an eligible person enrolled in, the High Cost Drug Program, the Family Health Benefit Drug Program, the Catastrophic Drug Program or the Insulin Pump Program to establish that the person is separated from the person's spouse, by providing a statutory declaration to that effect to the Administrator. The Administrator, on reviewing the person's information, may vary the terms of enrolment if satisfied that the spouses are living separate and apart, and shall notify the applicant of the Administrator's decision within 14 days.

SECTION 48 provides that a person who is aggrieved by a decision or determination of the Administrator under subsection 10(5), 13(3), 16(4), 46(3) or 47(2) or (3) may appeal that decision or determination to the Minister in accordance with section 17 of the Act.

SECTION 49 provides that a person who is in receipt of benefits under the Seniors Drug Program under the *Drug Cost Assistance Act* General Regulations (EC511/97) is deemed to be enrolled in the Seniors Drug Program under these regulations. The section further provides that a

person who is in receipt of benefits under or is enrolled in the following programs as they existed immediately prior to the coming into force of these regulations is deemed to be a person enrolled in the equivalent program under these regulations:

- the Diabetes Drug Program;
- the Family Health Benefit Drug Program;
- the High-Cost Drug Program;
- the Catastrophic Drug Program;
- the Financial Assistance Drug Program;
- the Child in Care Drug Program;
- the Private Nursing Home Drug Program;
- the Smoking Cessation Drug Program;
- the Sexually Transmitted Disease Drug Program;
- the Opioid Replacement Therapy Drug Program.

SECTION 50 provides that Schedules A to G are adopted and form part of the regulations.

SECTION 51 revokes the *Drug Cost Assistance Act* General Regulations (EC511/97).

SECTION 52 provides for the commencement of the regulations.

EC2014-368

EXECUTIVE COUNCIL ACT
PREMIER OF PRINCE EDWARD ISLAND
AUTHORITY TO ENTER INTO AN AGREEMENT
(INTERGOVERNMENTAL LETTER OF AGREEMENT
COST-SHARING OF EXPENDITURES RELATED TO
2014 MINISTERIAL CONFERENCE
ON THE CANADIAN FRANCOPHONIE)
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 Premier, as Minister Responsible for Acadian and Francophone Affairs to enter into an agreement with the Government of Canada, as represented by the Minister of Canadian Heritage, related to cost-sharing certain costs incurred in hosting the 2014 Ministerial Conference on the Canadian Francophonie taking place in Prince Edward Island on June 26 and 27, 2014, such as more particularly described in the draft agreement.

EC2014-369

EXECUTIVE COUNCIL ACT
PREMIER OF PRINCE EDWARD ISLAND
AUTHORITY TO ENTER INTO AN AGREEMENT
(PEI-MCPEI ECONOMIC DEVELOPMENT AGREEMENT)
WITH
MI'KMAQ CONFEDERACY OF PEI

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Premier, as Minister Responsible for Aboriginal Affairs, to enter into an agreement with the Abegweit First Nation and the Lennox Island First Nation, as represented by Mi'kmaq Confederacy of PEI, to set out terms and conditions related to support for various economic development initiatives for the period October 1, 2013 to September 30, 2017, such as more particularly described in the draft agreement.

EC2014-370

**FINANCIAL ADMINISTRATION ACT
SIGNING AUTHORITY DESIGNATIONS
SECURITIES ISSUANCE
INVESTING AND CASH MANAGEMENT
BANKING RELATED SERVICES
APPROVED**

Pursuant to sections 14 and 54 of the *Financial Administration Act* R.S.P.E.I 1988, Cap. F-9, the Minister of Finance, Energy and Municipal Affairs (the “Minister”) and Executive Council hereby designate officers of the Department of Finance, Energy and Municipal Affairs and Treasury Board Secretariat to carry out the prescribed functions and activities noted below for the effective and efficient financial administration and management of duties as assigned by the *Financial Administration Act* R.S.P.E.I 1988, Cap. F-9 to the Minister and Department of Finance, Energy and Municipal Affairs and to the Treasury Board.

The Minister of Finance, Energy and Municipal Affairs may assign and/or withdraw delegated authorities for any designated officer, in such a manner as the Minister of Finance, Energy and Municipal Affairs considers advisable.

In performing the prescribed functions and activities noted below, designated officers must understand the benefits and associated risks of any transaction prior to its undertaking.

SHORT-TERM BORROWING TRANSACTIONS

Pursuant to section 54 of the *Financial Administration Act* R.S.P.E.I 1988, Cap. F-9, Council and the Minister designate the following officers of the Department of Finance, Energy and Municipal Affairs and Treasury Board Secretariat to transact/sign and authorize/countersign, via physical or electronic means, securities issued under authority of section 46 of the Act:

1. TREASURY NOTE / PROMISSORY NOTE / SHORT-TERM SECURITY ISSUANCE – Physical Security

- 1.1 Authority to transact/sign and authorize/countersign note issuance on behalf of the Minister of Finance, Energy and Municipal Affairs - one signatory required from List A and one from List B below, and the signatory from List A must be different from the signatory from List B.

| SHORT-TERM BORROWING (Borrowing or Security Issued for 365 Days or Less) | |
|---|--|
| Transact Authorization List A | Countersign Authorization of Treasury Note / Promissory Note / Short-Term Security List B |
| 1 Banking Officer | 1 Secretary to Treasury Board |
| 2 Investment Officer | 2 Deputy Minister of Finance, Energy and Municipal Affairs |
| 3 Investment Accountant | 3 Comptroller |
| 4 Manager, Debt, Investment and Pensions | |

2. TREASURY NOTE /PROMISSORY NOTE / SHORT-TERM SECURITY ISSUANCE – Electronic System

2.1 Authority to transact/sign and authorize/countersign note issuance on behalf of the Minister of Finance, Energy and Municipal Affairs - one signatory required from List A and one from List B below, and the signatory from List A must be different from the signatory from List B.

| SHORT-TERM BORROWING (Borrowing or Security Issued for 365 Days or Less) | | | |
|--|--|--|--|
| Transact Authorization | | Countersign Authorization of | |
| List A | | Treasury Note / Promissory Note / | |
| | | Short-Term Security | |
| | | List B | |
| 1 | Banking Officer | 1 | Budget Analyst(s) |
| 2 | Investment Officer | 2 | Executive Director Fiscal Management |
| 3 | Investment Accountant | 3 | Secretary to Treasury Board |
| 4 | Manager, Debt, Investment and Pensions | 4 | Deputy Minister of Finance, Energy and Municipal Affairs |
| | | 5 | Comptroller |

LONG-TERM BORROWING TRANSACTIONS

Pursuant to section 54 of the *Financial Administration Act* R.S.P.E.I 1988, Cap. F-9, Council designates the following officers of the Department of Finance, Energy and Municipal Affairs and Treasury Board Secretariat to transact/sign and authorize/countersign, via physical or electronic means, securities issued under the authority of section 48 and 49 of the Act, which designation applies to all securities EXCEPT those securities issued where the Minister is authorized by Council to raise sums of money under section 49:

3. PROMISSORY NOTE / LONG-TERM SECURITY ISSUANCE

3.1 Authority to transact/sign and authorize/countersign long-term borrowing or security issued for terms greater than 365 days on behalf of the Minister of Finance, Energy and Municipal Affairs - one signatory required from List A and one signatory from List B below, and the signatory from List A must be different from the signatory from List B.

| LONG-TERM BORROWING (Borrowing or Security Issued for Greater than 365 Days) | | | |
|--|--|---|--|
| Transact Authorization | | Countersign Authorization of | |
| List A | | Promissory Note / Long-Term Security | |
| | | List B | |
| 1 | Comptroller | 1 | Secretary to Treasury Board |
| | | 2 | Comptroller |
| 2 | Manager, Debt, Investment and Pensions | 3 | Deputy Minister of Finance, Energy and Municipal Affairs |
| 3 | Secretary to Treasury Board | 4 | Minister of Finance, Energy and Municipal Affairs |

SHORT-TERM INVESTING TRANSACTIONS

The following officers of the Department of Finance, Energy and Municipal Affairs and Treasury Board Secretariat are authorized on behalf of the Minister to transact/sign and authorize/countersign, via physical or electronic means, securities purchased or sold under the authority of section 27 of the said Act:

4. SHORT-TERM INVESTING / CALL LOAN TRANSACTIONS

- 4.1 Authority to transact/sign and authorize/countersign short-term investing/call loan transactions for terms of 365 days or less for the Operating Fund, Sinking Fund and any other fund - one signatory required from List A and one from List B below, and the signatory from List A must be different from the signatory from List B.

| SHORT-TERM INVESTING / CALL LOAN TRANSACTIONS (Investing For Terms of 365 Days or Less) | | | |
|--|--|----------------------------------|--|
| Transact Authorization | | Countersign Authorization | |
| List A | | List B | |
| 1 | Banking Officer | 1 | Investment Officer |
| 2 | Investment Officer | 2 | Investment Accountant |
| 3 | Investment Accountant | 3 | Manager, Debt, Investment and Pensions |
| 4 | Manager, Debt, Investment and Pensions | 4 | Secretary to Treasury Board |
| | | 5 | Deputy Minister of Finance, Energy and Municipal Affairs |
| | | 6 | Comptroller |

LONG-TERM INVESTING TRANSACTIONS

The following officers of the Department of Finance, Energy and Municipal Affairs and Treasury Board Secretariat are authorized on behalf of the Minister to transact/sign and authorize/countersign, via physical or electronic means, securities purchased or sold under the authority of section 27 of the said Act:

5. LONG-TERM INVESTING TRANSACTIONS

- 5.1 Authority to transact/sign and authorize/countersign long-term investing transactions of terms greater than 365 days for the Operating Fund, Sinking Fund and any other fund - one signatory required from List A and one from List B below, and the signatory from List A must be different from the signatory from List B.

| LONG-TERM INVESTING TRANSACTIONS (For Terms Greater than 365 Days) | | | |
|---|--|----------------------------------|--|
| Transact Authorization | | Countersign Authorization | |
| List A | | List B | |
| 1 | Investment Officer | 1 | Investment Accountant |
| 2 | Manager, Debt, Investment and Pensions | 2 | Manager, Debt, Investment and Pensions |
| 3 | Secretary to Treasury Board | 3 | Secretary to Treasury Board |
| 4 | Comptroller | 4 | Deputy Minister of Finance, Energy and Municipal Affairs |
| | | 5 | Comptroller |

FOREIGN EXCHANGE (SPOT) TRANSACTIONS

The following officers of the Department of Finance, Energy and Municipal Affairs and Treasury Board Secretariat are authorized on behalf of the Minister to transact/sign and authorize/countersign, via physical or electronic means, foreign exchange (spot) transactions under the authority of subsection 14(2) of the said Act:

6. FOREIGN EXCHANGE (SPOT) TRANSACTIONS

6.1 Authority to transact/sign and authorize/countersign foreign exchange (spot) transactions for the Operating Fund, Sinking Fund and any other fund, other government related entities, and pooled fund accounts - one signatory required from List A and one from List B below, and the signatory from List A must be different from the signatory from List B.

| FOREIGN EXCHANGE (SPOT) TRANSACTIONS | | | |
|--------------------------------------|--|---------------------------|--|
| Transact Authorization | | Countersign Authorization | |
| List A | | List B | |
| 1 | Banking Officer | 1 | Investment Accountant |
| 2 | Investment Officer | 2 | Manager, Debt, Investment and Pensions |
| 3 | Manager, Debt, Investment and Pensions | 3 | Secretary to Treasury Board |
| 4 | Secretary to Treasury Board | 4 | Comptroller |
| 5 | Comptroller | 5 | Deputy Minister of Finance, Energy and Municipal Affairs |

DERIVATIVE TRANSACTIONS

The following officers of the Department of Finance, Energy and Municipal Affairs and Treasury Board Secretariat are authorized on behalf of the Minister to transact/sign and authorize/countersign, via physical or electronic means, derivative transactions issued under authority of subsection 14(2) of the said Act:

7. DERIVATIVE TRANSACTIONS

7.1 Authority to transact/sign and authorize/countersign derivative transactions, such as currency, interest rates and other matters, swap agreements, futures and forward agreements, options agreements, rate agreements and any other master agreement in respect of such agreements, for the Operating Fund, Sinking Fund and any other fund - one signatory required from List A and one from List B below, and the signatory from List A must be different from the signatory from List B.

| DERIVATIVE TRANSACTIONS | | | |
|-------------------------|--|---------------------------|--|
| Transact Authorization | | Countersign Authorization | |
| List A | | List B | |
| 1 | Investment Officer | 1 | Manager, Debt, Investment and Pensions |
| 2 | Manager, Debt, Investment and Pensions | 2 | Secretary to Treasury Board |
| 3 | Secretary to Treasury Board | 3 | Comptroller |
| 4 | Comptroller | 4 | Deputy Minister of Finance, Energy and Municipal Affairs |
| | | 5 | Investment Accountant |

BANKING RELATED SERVICES

The following officers of the Department of Finance, Energy and Municipal Affairs and Treasury Board Secretariat are authorized on behalf of the Minister to transact/sign and authorize/countersign, via physical or electronic means the following banking related services under authority of subsection 14(1) and sections 20 and 22 of the said Act:

8. BANK ACCOUNT - OPENING / CLOSING / MAINTENANCE AND ADMINISTRATION

8.1 Authority to transact/sign and authorize/countersign bank account opening, closing and bank account maintenance and administration, for the Operating Fund, other government related entities and pooled fund accounts - one signatory required from List A and one from List B below, and the signatory from List A must be different from the signatory from List B.

9. BANKING RELATED TRANSACTIONS

9.1 Authority to transact/sign and authorize/countersign banking related transactions such as bank drafts, wire payments, account transfers, cheque verification, stop payment requests, preauthorized payment and debits, online tax filings, and other banking related administration for the Operating Fund, other government related entities, and pooled fund accounts - one signatory required from List A and one from List B below, and the signatory from List A must be different from the signatory from List B.

| BANKING RELATED TRANSACTIONS | |
|--|--|
| Transact Authorization List A | Countersign Authorization List B |
| 1 Banking Officer | 1 Budget Analyst(s) |
| 2 Investment Officer | 2 Executive Director Fiscal Management |
| 3 Investment Accountant | 3 Secretary to Treasury Board |
| | 4 Comptroller |
| | 5 Deputy Minister of Finance, Energy and Municipal Affairs |

10. ELECTRONIC / ONLINE BANKING SETUP / ACCESS AND ADMINISTRATION

10.1 Authority to transact/sign and authorize/countersign electronic/online banking setup/ access and administration for the Operating Fund, other government related entities and pooled fund accounts - one signatory required from List A and one from List B below, and the signatory from List A must be different from the signatory from List B.

| ELECTRONIC / ONLINE BANKING SETUP / ACCESS AND ADMINISTRATION | | | |
|--|--|----------------------------------|--|
| Transact Authorization | | Countersign Authorization | |
| List A | | List B | |
| 1 | Manager, Debt, Investment and Pensions | 1 | Manager, Debt, Investment and Pensions |
| 2 | Office of the Comptroller Accountant | 2 | Office of the Comptroller Accountant |
| 3 | Financial System Administration System Administrator | 3 | Financial System Administration System Administrator |
| 4 | Manager of Administration Services | 4 | Manager of Administration Services |

11. BANKING SERVICES – THIRD PARTY VENDORS

11.1 Authority to transact/sign and authorize/countersign banking services provided by third party vendors, such as credit and debit card service and administration providers, for the Operating Fund - one signatory required from List A and one from List B below, and the signatory from List A must be different from the signatory from List B.

| BANKING SERVICES – THIRD PARTY VENDORS | | | |
|---|-----------------------|----------------------------------|--|
| Transact Authorization | | Countersign Authorization | |
| List A | | List B | |
| 1 | Banking Officer | 1 | Manager, Debt, Investment and Pensions |
| 2 | Investment Officer | 2 | Secretary to Treasury Board |
| 3 | Investment Accountant | 3 | Deputy Minister of Finance, Energy and Municipal Affairs |
| | | 4 | Minister of Finance, Energy and Municipal Affairs |
| | | 5 | Comptroller |

Order-in-Council EC2013-2 of January 8, 2013 is hereby rescinded.

EC2014-371

**PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ARDENA AUSTIN AND COLIN AUSTIN
(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 Ardena Austin and Colin Austin, both of Amherst, Nova Scotia to acquire a land holding of approximately two decimal six four (2.64) acres of land in Lot 62, Queens County, Province of Prince Edward Island, being acquired from Marwood Properties Inc. 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.

EC2014-372

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 SUSAN BURRIS
 (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 Susan Burris of Truro, Nova Scotia to acquire a land holding of approximately twenty-three decimal five four (23.54) acres of land at Harrington, Lot 33, Queens County, Province of Prince Edward Island, being acquired from Myron Ford and Kathleen Ford, both of Harrington, 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.

EC2014-373

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 MARTINA COCKBURN
 (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 Martina Cockburn of Oshawa, Ontario to acquire a land holding of approximately forty decimal seven six (40.76) acres of land at Elliotvale, Lot 49, Queens County, Province of Prince Edward Island, being acquired from Richard Gallant and Geri Gallant, both of Millcove, 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.

EC2014-374

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 SUSAN MARIE KENNIFIC
 (DENIAL)

Council, having under consideration an application (#N5259) for acquisition of a land holding under authority of section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap L-5, denied permission to Susan Marie Kennific of New Maryland, New Brunswick to acquire a land holding of approximately fifty (50) acres of land at Green Meadow, Lot 39, Kings County, Province of Prince Edward Island, currently owned by Louis Connolly of Calgary, Alberta.

EC2014-375

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MARIA KUIJPERS
(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 Maria Kuijpers of Mosherville, Nova Scotia to acquire a land holding of approximately forty-three decimal nine three (43.93) acres of land at South Pinette, Lot 60, Queens County, Province of Prince Edward Island, being acquired from Howard L. Ross of South Pinette, 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.

EC2014-376

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
KEITH ROBIE ROACH AND ROGER F. ROACH
(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 Keith Robie Roach and Roger F. Roach, both of Chester, New Hampshire to acquire a land holding of approximately three (3) acres of land at Malpeque, Lot 18, Prince County, Province of Prince Edward Island, being acquired from R & R Ventures Inc. and Austin Roberts, both of Kinkora, 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.

EC2014-377

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ARSENAULT PONDSIDE INC.
(APPROVAL)

Pursuant to section 5 of the **EC2014-376** *nd Lands Protection Act*
R.S.P.E.I. 1988, Cap. L-5 Cou PRINCE on to Arsenault Pondsides Inc.
of Wellington, Prince Edward EDWARD nd holding of approximately
zero decimal four four (0.44) a ISLAND ngton, Lot 16, Prince County,
Province of Prince Edward Isla LANDS rom the Community of
Wellington of Wellington Stati PROTECTION land.
ACT

EC2014-378

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 CANADIAN NECTAR PRODUCTS 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 Canadian Nectar Products Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately eight decimal five four (8.54) acres of land at Alliston, Lot 63, Kings County, Province of Prince Edward Island, being acquired from Julius (Gyula) Patkai and Jolee Fern Patkai, both of Alliston, 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.

EC2014-379

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 DIAMONDALE FARMS INC.
 (TO RESCIND)

Council, having under consideration Order-in-Council EC2014-300 of May 13, 2014, rescinded the said Order forthwith, thus rescinding permission for Diamondale Farms Inc. of Winsloe, Prince Edward Island to acquire a land holding of approximately two hundred and fifteen decimal five three (215.53) acres of land at North Milton and South Winsloe, Lots 24, 32 and 33, Queens County, Province of Prince Edward Island, being acquired from Wayne Diamond of Winsloe, Prince Edward Island and Blaine Diamond of South Winsloe, Prince Edward Island.

EC2014-380

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 DIAMONDALE 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 Diamondale Farms Inc. of Winsloe, Prince Edward Island to acquire a land holding of approximately two hundred and thirteen decimal three (213.3) acres of land at North Milton, Lots 24, 32 and 33, Queens County, Province of Prince Edward Island, being acquired from Wayne Diamond of Winsloe, Prince Edward Island and Blaine Diamond of South Winsloe, Prince Edward Island.

EC2014-381

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DR. KERBY BRUCE INC. AND RA HOLDEN 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 Dr. Kerby Bruce Inc. and RA Holden Inc., both of Charlottetown, Prince Edward Island to acquire a land holding of approximately zero decimal eight three (0.83) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Carewco Holdings Ltd. of Breadalbane, Prince Edward Island.

EC2014-382

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
G & P TRUCKING & CONSTRUCTION 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 G & P Trucking & Construction Ltd. of St. Peters, Prince Edward Island to acquire a land holding of approximately fifty-eight decimal nine four (58.94) acres of land at St. Peters, Lot 41, Kings County, Province of Prince Edward Island, being acquired from Virginia McIntosh 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 G & P Trucking & Construction Ltd. and on all successors in title.

EC2014-383

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
NEWMAN ESTATE WINERY 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 Newman Estate Winery Inc. of Murray River, Prince Edward Island to acquire, by lease, an interest in a land holding of approximately thirty-seven decimal one nine (37.19) acres of land at East Point, Lot 47, Kings County, Province of Prince Edward Island, being acquired from Jason Sniderman of Toronto, Ontario.

EC2014-384

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PRINCE EDWARD ISLAND WILDLIFE FEDERATION
(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 the Prince Edward Island Wildlife Federation of Charlottetown, Prince Edward Island to acquire a land holding of approximately one hundred and forty-nine (149) acres of land at Lakeville, Lot 47, Kings County, Province of Prince Edward Island, being acquired from Allen J. MacPhee and Marion MacPhee, both of Souris, Prince Edward Island.

EC2014-385

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ROGERS COMMUNICATIONS 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 Rogers Communications Inc. of Toronto, Ontario to acquire, by lease, an interest in a land holding of approximately zero decimal one zero (0.10) acres of land at Valleyfield, Lot 51, Kings County, Province of Prince Edward Island, being acquired from John Sullivan and Helena Sullivan, both of Montague, Prince Edward Island.

EC2014-386

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ROYAL STAR FOODS 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 Royal Star Foods Ltd. of Tignish, Prince Edward Island to acquire a land holding of approximately one decimal zero three (1.03) acres of land at Anglo Tignish, Lot 1, Prince County, Province of Prince Edward Island, being acquired from Omer Martin of Tignish, Prince Edward Island.

EC2014-387

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
TIGNISH INITIATIVE CORPORATION
(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 Tignish Initiative Corporation of Tignish, Prince Edward Island to acquire a land holding of approximately zero decimal three three (0.33) acres of land at Skinners Pond, Lot 1, Prince County, Province of Prince Edward Island, being acquired from Arthur Bernard of Skinners Pond, Prince Edward Island.

EC2014-388

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
TIGNISH INITIATIVE CORPORATION
(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 Tignish Initiative Corporation of Tignish, Prince Edward Island to acquire a land holding of approximately ten (10) acres of land at Skinners Pond, Lot 1, Prince County, Province of Prince Edward Island, being acquired from Tom C. Connors of Ballinafad, Ontario SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Tignish Initiative Corporation and on all successors in title.

EC2014-389

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
TIGNISH INITIATIVE CORPORATION
(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 Tignish Initiative Corporation of Tignish, Prince Edward Island to acquire a land holding of approximately one (1) acre of land at Skinners Pond, Lot 1, Prince County, Province of Prince Edward Island, being acquired from Tom Connors Museum of Ballinafad, Ontario.

EC2014-390

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WILLIAMS FAMILY FARMS LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Williams Family Farms Ltd. of Alberton, Prince Edward Island to acquire a land holding of approximately forty-seven decimal two nine (47.29) acres of land at Elmsdale, Lot 4, Prince County, Province of Prince Edward Island, being acquired from Alton Williams of Elmsdale, 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.

EC2014-391

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 148627, LOT 37, QUEENS COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately one hundred and eighty-five decimal seven (185.7) acres of land, being Provincial Property No. 148627 located in Lot 37, Queens County, Prince Edward Island and currently owned by Ostridge Bros. (1983) Inc. of Mermaid, Prince Edward Island.

Council noted that this amendment will enable subdivision of five lots of approximately one acre each, and determined that following subdivision, identification for non-development use shall continue to apply to the remaining land.

This Order-in-Council comes into force on June 19, 2014.

EC2014-392

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 089680, LOT 20, QUEENS COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately seventeen (17) acres of land, being Provincial Property No. 089680 located in Lot 20, Queens County, Prince Edward Island and currently owned by Lewis Sutherland and Vicki Sutherland, both of Clermont, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately three (3) acres, and determined that following subdivision, identification for non-development use shall continue to apply to the new lot and the remaining land.

This Order-in-Council comes into force on June 19, 2014.

EC2014-393

**PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROVINCIALY OWNED LAND AT CARDIGAN
EXEMPTION FROM IDENTIFICATION FOR NON-DEVELOPMENT USE**

Pursuant to section 21 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council determined that approximately one decimal two seven (1.27) acres of provincially owned land and land covered by water, being a portion of Provincial Property No. 525071 at Cardigan, Lot 53, Kings County, NOT be identified for non-development use under the Land Identification Program established by the *Prince Edward Island Lands Protection Act* Land Identification Regulations (EC606/95) on transfer for community development use to the Community of Cardigan.

EC2014-394

**AN ACT TO AMEND THE PLANNING ACT
DECLARATION RE**

Under authority of section 2 of *An Act to Amend the Planning Act* Stats. P.E.I. 2014, c. 40, Council ordered that a Proclamation do issue proclaiming the said "An Act to Amend the Planning Act" to come into force effective June 28, 2014.

EC2014-395

PLANNING ACT

**SUBDIVISION AND DEVELOPMENT 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. Clause 1(v.1) of the *Planning Act* Subdivision and Development Regulations (EC693/00) is revoked and the following substituted:

- (v.1) "subdivide" means subdivide
- (i) to divide a parcel of land to create two or more new parcels of land,
 - (ii) to consolidate two or more contiguous parcels of land to create a new parcel of land, or
 - (iii) to attach a part of a parcel of land to another parcel of land contiguous to that part to create a new parcel of land,
- by means of a plan of subdivision, a plan of survey, an agreement, a deed or any other instrument, including a caveat, that transfers or creates an estate or interest in the new parcels of land created by the division, or in the new parcel of land created by the consolidation or the attachment, as the case may be;

2. These regulations come into force on June 28, 2014.

EXPLANATORY NOTES

SECTION 1 provides a new definition for the word “subdivide”. Currently, the definition of this word provides that a subdivision occurs when new parcels of land are created by the division of another parcel of land. The new definition clarifies that a subdivision also occurs when two or more parcels of land are consolidated into one new parcel of land or when part of a parcel of land is attached to another parcel of land.

SECTION 2 provides for the commencement of these regulations.

EC2014-396

**PUBLIC DEPARTMENTS ACT
ACTING MINISTER
APPOINTMENT**

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

Honourable Robert Vessey to be Acting Minister of Fisheries, Aquaculture and Rural Development commencing on the 24th day of June 2014, and continuing for the duration of the absence from the Province of Honourable Ron MacKinley.

EC2014-397

**SOCIAL ASSISTANCE ACT
RATES OF FINANCIAL ASSISTANCE
(APPROVED)**

Under authority of section 4.1 of the *Social Assistance Act*, R.S.P.E.I. 1988, Cap. S-4.3, Council approved the following rates and changes in rates of financial assistance for food, effective September 1, 2014:

| | FOOD CATEGORY | | |
|---------------|------------------------|--------------------------|-------------------------|
| | 1 Person Family | 2-3 Person Family | 4+ Person Family |
| 1 Adult | from \$164 to \$173 | from \$148 to \$157 | from \$126 to \$134 |
| 2 Adults | | from \$259 to \$276 | from \$233 to \$249 |
| Child 12 – 18 | | from \$162 to \$171 | from \$150 to \$159 |
| Child 0-11 | | from \$114 to \$118 | from \$104 to \$107 |

EC2014-398

SOCIAL ASSISTANCE ACT

REGULATIONS
AMENDMENT

Pursuant to section 7 of the *Social Assistance Act* R.S.P.E.I. 1988, Cap. S-4.3, Council made the following regulations:

1. Subsection 5(4) of the *Social Assistance Act* Regulations (EC396/03) is amended

(a) in the words preceding clause (a), by the deletion of the word “may”;

(b) in clause (a), by the addition of the word “shall” before the word “conduct”; and

(c) in clause (b), by the addition of the word “may” before the word “report”.

2. (1) Subsection 6(6) of the regulations is revoked and the following substituted:

(6) Where an applicant is unable to maintain or seek employment for a medical reason, the applicant shall provide to the Director a medical report prepared by a medical practitioner describing the nature, extent and expected duration of that medical reason. Medical reason for unemployment

(2) Subsection 6(7) of the regulations is revoked.

3. Subsection 30(1) of the regulations is revoked and the following substituted:

30. (1) Where the Director determines that there has been a material change in the circumstances of an applicant, the Director shall Change in circumstances

(a) review the applicant’s eligibility for financial assistance; and

(b) maintain, adjust, suspend or cancel the payment of financial assistance as the Director considers necessary to ensure compliance with the Act and the regulations, in accordance with the Act and the regulations.

4. Subsection 48(3) of the regulations is amended by the addition of the words “without a hearing” after the word “appeal”.

5. Section 51 of the regulations is revoked and the following substituted:

51. (1) In this section, “fiscal year” means the period beginning on April 1 in one year and ending on March 31 in the next year. Fiscal year

(2) Each fiscal year, commencing April 1, 2015, the Board shall submit an annual report for the preceding fiscal year on or before June 30th next following the end of the preceding fiscal year. Annual report

(3) Notwithstanding subsection (2), the annual report submitted by the Board for the fiscal year commencing on April 1, 2014, and ending on March 31, 2015, shall also include a report of the Board respecting the time period from January 1, 2014, to March 31, 2014. Transitional – calendar year to fiscal year

6. These regulations come into force on June 28, 2014.

EXPLANATORY NOTES

SECTION 1 amends the subsection to require, instead of permit, the Director to conduct case audits and otherwise monitor and evaluate service delivery.

SECTION 2 amends the subsection to refer to an applicant who is unemployed for a medical reason instead of due to a disability. It also revokes a subsection that requires further medical assessments and reports for an applicant whose disability is of indefinite duration.

SECTION 3 requires the Director to review an applicant's eligibility for financial assistance, where there is a material change in the circumstances of the applicant, and take action as necessary to ensure compliance with the Act and regulations.

SECTION 4 requires the Board to dismiss an appeal without a hearing, where the appellant or a representative of the appellant does not appear for an appeal hearing.

SECTION 5 requires the Board to submit an annual report to the Minister for each fiscal year by June 30th following the end of a fiscal year and defines "fiscal year". It also provides a transitional provision for the change from requiring an annual report for each calendar year to an annual report for each fiscal year.

SECTION 6 provides for the commencement of these regulations.

EC2014-399

EXECUTIVE COUNCIL ACT
 MINISTER OF FINANCE, ENERGY AND MUNICIPAL AFFAIRS
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (DATA SHARING AGREEMENT
 RE SYSTEM OF NATIONAL ACCOUNTS INFORMATION)
 WITH
 STATISTICS 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, Energy and Municipal Affairs to enter into an agreement with Statistics Canada, to set out terms and conditions for sharing data and for use by Statistics Canada of designated Prince Edward Island Statistics Bureau employees for the purpose of conducting statistical work using specific confidential System of National Accounts information, such as more particularly described in the draft agreement.

EC2014-400

FATHERS OF CONFEDERATION BUILDINGS ACT
 FATHERS OF CONFEDERATION BUILDINGS TRUST
 APPOINTMENTS

Pursuant to section 3 of the *Fathers of Confederation Buildings Act* R.S.P.E.I. 1988, Cap. F-6 Council made the following appointments:

| NAME | TERM OF APPOINTMENT |
|---|------------------------------------|
| via subsection (1) | |
| Wayne H. Hambly Charlottetown (reappointed) | 31 July 2014 to 31 July 2017 |
| via subsection (2) | |
| Peter MacKinnon Saskatchewan (reappointed) | 31 July 2014 to 31 July 2017 |
| Charles F. Scott, Jr. Ontario (reappointed) | 31 July 2014 to 31 July 2017 |

| | |
|-----------------------|--------------|
| Frederic L.R. Jackman | 31 July 2014 |
| Ontario | to |
| (reappointed) | 31 July 2017 |

Further, Council reappointed Wayne Hambly to serve as chairperson of the Board for the duration of his term.

EC2014-401

FINANCE PEI ACT
FINANCE PEI BOARD OF DIRECTORS
APPOINTMENT

Pursuant to section 4 of the *Finance PEI Act* R.S.P.E.I. 1988, Cap. F-8.1, Council made the following appointment:

| NAME | TERM OF APPOINTMENT |
|---|-----------------------------|
| via clause 4(2)(a), representing Department of Finance, Energy and Municipal Affairs | |
| Dan Campbell Secretary to Treasury Board (vice Doug Clow) | 19 June 2014 at pleasure |

EC2014-402

ISLAND INVESTMENT DEVELOPMENT ACT
ISLAND INVESTMENT DEVELOPMENT INC.
BOARD OF DIRECTORS
APPOINTMENT

Pursuant to section 3 of the *Island Investment Development Act* R.S.P.E.I. 1988, Cap. I-10.1 Council made the following appointment:

| NAME | TERM OF APPOINTMENT |
|---|----------------------------|
| as secretary-treasurer | |
| Secretary to Treasury Board (vice Chief Financial Officer/ Chief Information Officer and Comptroller) | 19 June 2014 at pleasure |

EC2014-403

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
ALLAN EQUIPMENT MANUFACTURING LTD.
AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to advance a working capital demand loan in the amount of three hundred thousand dollars (\$300,000.00) to Allan Equipment Manufacturing Ltd. on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2014-404

**SUMMARY PROCEEDINGS ACT
TICKET REGULATIONS
AMENDMENT**

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

1. Schedule 2 of the *Summary Proceedings Act* Ticket Regulations (EC58/08) is amended by the addition of the following immediately after Part 24:

PART 24.1

***FIRE PREVENTION ACT*
R.S.P.E.I. 1988, Cap. F-11**

| Item Number | Column I Offence | Column II Section | Column III Penalty for out of court settlement |
|-------------|---|----------------------|---|
| 1 | Owner or occupier of buildings or premises failing to comply with any order of the Fire Marshal | 15(1) | \$200 |
| | Each day during which the offence continues | | 100 |
| 2 | Hindering or disturbing the Fire Marshal, an inspector or a local assistant in the execution of his or her duties | 19(a) | 50 |
| 3 | Owner or occupier of premises permitting more than the maximum number of persons specified on capacity permit for the premises to enter, be in, or remain in the premises at one time | 19.1 | 200 |
| | Subsequent offence | | 500 |
| 4 | Owner or occupier of premises failing to comply with codes or standards | 19.2 | 200 |
| | Each day during which the offence continues | | 100 |
| 5 | Company neglecting or failing to furnish a statement or report | 21 | 25/day |
| 6 | Failing to pay required tax | 22 | 25/day |
| 7 | Failing to notify and obtain a permit from a designated person before starting etc. a fire in or within 200 metres of any forest, wood or other fine fuel combustible material, between March 15th and December 1 st in any year | 30(1) | 200 |
| 8 | Failing to meet required conditions before setting a fire pursuant to a permit, or failing to extinguish the fire where certain conditions cease to be met or a fire service officer so directs | 30(4) | 200 |
| 9 | Person who is aware of fire in any forest lands neglecting or refusing to report the fire to the Department of Agriculture and Forestry, where fire suppression operations have not been started by a fire department or the Department of Agriculture and Forestry | 32 | 200 |
| 10 | Person who throws or drops burning substance within or near any forest, woodlot or other place with flammable matter, failing to extinguish burning substance before leaving area | 34 | 200 |
| 11 | Starting etc. an open fire in an area for which a fire closure order is in effect | 37(4) | 500 |

2. These regulations come into force on June 28, 2014.

EXPLANATORY NOTES

SECTION 1 outlines the ticketable offences in the *Fire Prevention Act*.

SECTION 2 provides for the commencement of these regulations.

EC2014-405

**SUMMARY PROCEEDINGS ACT
TICKET REGULATIONS
AMENDMENT**

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

1. Part 30 of Schedule 2 of the *Summary Proceedings Act* Ticket Regulations (EC58/08) is amended

(a) by the deletion of items 15, 16 and 17 and the substitution of the following:

| | | | |
|----|--|----------|-----|
| 15 | Failing to attach a number plate as required by subsection 21(1.1) or (2)..... | 21(1)(a) | 100 |
| 16 | Failing to fasten a number plate as required by subsection 21(3)..... | 21(1)(b) | 100 |
| 17 | Operating vehicle with all or part of number plate concealed or rendered illegible by a covering, device, sticker, inscription, sign or other thing..... | 21(3.1) | 100 |

(b) by the addition of the following after item 85:

| | | | |
|-------|---|-----------------|-----|
| 85.01 | Operating, during the daylight, a motor vehicle manufactured after November 30, 1989, not equipped with daytime running lights..... | 109.1(1)(a) | 100 |
| 85.02 | Operating, during the daylight, a motor vehicle manufactured after November 30, 1989, with daytime running lights not illuminated..... | 109.1(1)(b)(i) | 100 |
| 85.03 | Operating, during the daylight, a motor vehicle manufactured after November 30, 1989, with daytime running lights emitting a light other than amber or white in colour..... | 109.1(1)(b)(ii) | 100 |
| 85.04 | Operating, at any time, a motor vehicle manufactured before December 1, 1989, with no headlights or headlamps or daytime running lights illuminated..... | 109.1(2) | 100 |
| 85.05 | Operating, at any time, a motor vehicle manufactured before December 1, 1989, with daytime running lights emitting a light other than amber or white in colour..... | 109.1(3) | 100 |

(c) by the addition of the following after item 124:

| | | | |
|--------|---|----------|-----|
| 124.1 | Operating right-hand drive vehicle..... | 141.1(1) | 200 |
| 124.11 | Operating right-hand drive vehicle not having prominently displayed on rear the words "RIGHT-HAND DRIVE VEHICLE"..... | 141.1(3) | 200 |

(d) by the deletion of items 200 and 201.

2. These regulations come into force on June 28, 2014.

EXPLANATORY NOTES

SECTION 1 sets out ticketable offences in the *Highway Traffic Act*.

SECTION 2 provides for the commencement of these regulations.

EC2014-406

**SUMMARY PROCEEDINGS ACT
TICKET REGULATIONS
AMENDMENT**

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

1. Part 41 of Schedule 2 of the *Summary Proceedings Act* Ticket Regulations (EC58/08) is amended by the addition of the following after item 78:

| | | |
|------|---|---|
| 78.1 | Permitting or causing any sprayer or other equipment used to apply pesticides to be filled from an open body of water or water well | 1,000 (individual) 38(2) 5,000 (corporation) |
|------|---|---|

2. Part 49 of Schedule 2 of the regulations is amended

(a) in items 1 to 12, by the deletion of the word “100” and the substitution of the word “200”; and

(b) in item 13, by the deletion of the word “9(1)” and the substitution of the word “9(2)”.

3. These regulations come into force on June 28, 2014.**EXPLANATORY NOTES**

SECTION 1 provides for a ticket to be issued for violation of subsection 38(2) of the *Pesticides Control Act*.

SECTION 2 increases the penalty prescribed for an out-of-court settlement of offences under the *Trespass to Property Act* from \$100 to \$200 and corrects a subsection reference.

SECTION 3 provides for the commencement of these regulations.

EC2014-407

**SUMMARY PROCEEDINGS ACT
TICKET REGULATIONS
AMENDMENT**

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

1. Part 30 of Schedule 2 of the *Summary Proceedings Act* Ticket Regulations (EC58/08) is amended by the deletion of item 72.1 and the substitution of the following:

| | | | |
|------|---|---------|-------|
| 72.1 | Failing to comply with ignition interlock condition imposed by the Registrar on person's driver's license..... | 89(e.1) | 1,500 |
| 72.2 | Failing to comply with a condition under clause 73(1.52)(a) to operate only a motor vehicle for which a restricted number plate has been issued under that section..... | 89(e.2) | 1,500 |
| 72.3 | Failing to comply with a condition under clause 73(1.52)(b) to display a restricted number plate on the motor vehicle for which the restricted number plate has been issued under that section..... | 89(e.3) | 1,500 |
| 72.4 | Operating a motor vehicle having consumed alcohol in such a quantity that the concentration in the person's blood exceeds zero milligrams of alcohol in 100 millilitres of blood, in contravention of clause 73(1.52)(c)..... | 89(e.4) | 1,500 |

2. These regulations come into force on July 7, 2014.**EXPLANATORY NOTES**

SECTION 1 sets out ticketable offences in the *Highway Traffic Act*.

SECTION 2 provides for the commencement of these regulations.

EC2014-408**WORKERS COMPENSATION ACT
WORKERS COMPENSATION APPEAL TRIBUNAL
APPOINTMENTS**

Pursuant to subsection 56(7) of the *Workers Compensation Act* R.S.P.E.I. 1988, Cap. W-7.1, Council made the following appointments:

| NAME | TERM OF APPOINTMENT |
|--|-----------------------------|
| as chairperson | |
| Alanna Taylor Charlottetown (vice Wendy Reid, Q.C., resigned) | 19 June 2014 at pleasure |
| as vice-chairperson | |
| Meaghan S. Hughes Charlottetown (vice Alanna Taylor, resigned) | 19 June 2014 at pleasure |