

## EC2018-85

**CIVIL SERVICE SUPERANNUATION ACT  
GENERAL REGULATIONS**

Pursuant to section 28 of the *Civil Service Superannuation Act* R.S.P.E.I. 1988, Cap. C-9, Council made the following regulations:

1. In these regulations, "Act" means the *Civil Service Superannuation Act* R.S.P.E.I. 1988, Cap. C-9. Definition
  
2. Where a person transfers a lump-sum amount from the Fund to a registered pension plan under section 3 of the Act in respect of a transfer of service, any surplus funds remaining after the transfer shall remain in the Fund. Surplus funds after transfer
  
3. (1) Where a member or vested former member is applying for pension benefits, the member or vested former member shall provide to the Commission, in the applicable form approved by the Commission, the following information to establish proof of eligibility for pension benefits: Proof of eligibility - member or vested former member
  - (a) a declaration that the person is the member or vested former member;
  - (b) proof of the member or vested former member's date of birth.
  
- (2) Where a person who is eligible for a separate pension under section 27.01 of the Act is applying for pension benefits, the person shall provide to the Commission, in the applicable form approved by the Commission, the following information to establish proof of eligibility for pension benefits: Proof of eligibility - person eligible for separate pension
  - (a) a declaration that the person is entitled to a separate pension;
  - (b) proof of the person's date of birth.
  
- (3) Where a spouse or former spouse of a member, vested former member or pensioner is applying for pension benefits, the person shall provide to the Commission, in the specified form or the applicable form approved by the Commission, the following information to establish proof of eligibility for pension benefits: Proof of eligibility - spouse or former spouse
  - (a) where the person was married to the member, vested former member or pensioner, a copy of the marriage certificate or an equivalent document evidencing the marriage;
  - (b) where the person was not married to the member, vested former member or pensioner,
    - (i) proof that the person and the member, vested former member or pensioner were claiming each other as common-law spouses on a T-1 General Income Tax and Benefit Return filed under the *Income Tax Act* (Canada), or
    - (ii) if applicable, a copy of a long form birth certificate, an adoption order or an equivalent document evidencing that the person and the member, vested former member or pensioner were the natural or adoptive parents of a child or children;
  - (c) a declaration that the spouse or former spouse and the member, vested former member or pensioner were living together for a continuous period of at least three years, including on the date of death of the member, vested former member or pensioner;
  - (d) proof of the dates of birth of both the spouse or former spouse and the member, vested former member or pensioner.
  
- (4) Where a dependent child of a member, vested former member or pensioner is applying for pension benefits under section 13 or 13.1 of the Act, the dependent child, or his or her guardian, shall provide to the Commission, in the specified form or the applicable form approved by the Commission, the following information to establish proof of eligibility for pension benefits: Proof of eligibility - dependent child

- (a) a copy of a long form birth certificate, an adoption order or an equivalent document evidencing that the dependent child is the natural or adopted child of the member, vested former member or pensioner;
- (b) where the child is 18 years of age or older and dependent on the member, vested former member or pensioner for maintenance and support by reason of mental or physical disability,
- (i) confirmation from a medical practitioner that the person applying for the benefit has a mental or physical disability that renders the person dependent on the member, vested former member or pensioner, and
- (ii) proof that the member, vested former member or pensioner was claiming the dependent child when filing a T-1 General Income Tax and Benefit Return filed under the *Income Tax Act* (Canada) for the year preceding the date of the application;
- (c) where the child is 18 years of age or older and is attending post-secondary studies, evidence of attendance on a full-time basis at an institution of learning described in subsection 14(2) of the *Student Financial Assistance Act* R.S.P.E.I.1988, c.S-8.2;
- (d) a declaration that the person was at the time of the member's, vested former member's or pensioner's death, and still is, the dependent child of the member, vested former member or pensioner;
- (e) proof of the dates of birth of both the dependent child and the member, vested former member or pensioner.
- (5) Where a personal representative of a member, vested former member, pensioner or person entitled to a separate pension is applying for pension benefits under the Act, the personal representative shall provide to the Commission, in the specified form or the applicable form approved by the Commission, the following information to establish proof of eligibility for pension benefits: Personal representative
- (a) a copy of the letters probate or letters of administration of the Supreme Court or a superior court of a province or territory appointing the person as the personal representative of the estate of the member, vested former member, pensioner or person entitled to a separate pension;
- (b) a declaration that the person is the personal representative of the estate of the member, vested former member, pensioner or person entitled to a separate pension;
- (c) a copy of the death certificate of the member, vested former member, pensioner or person entitled to a separate pension.
- (6) Notwithstanding subsections (1) to (5), the Commission may accept alternative information to establish proof of eligibility for pension benefits if, in the opinion of the Commission, the required information is not reasonably available to the person who is making the application for pension benefits. Alternative information
- (7) In addition to the information required by subsections (1) to (5), an applicant for pension benefits shall provide any additional information required by the Commission to establish the applicant's proof of eligibility for pension benefits under the Act. Additional information
- (8) Where a dependent child is in receipt of a benefit, the Commission may require periodic proof of continued dependency. Periodic proof
- 4.** (1) The following employers are participating employers to which the Act applies: Participating employers
- (a) a reporting entity specified in Schedule A to the *Financial Administration Act* R.S.P.E.I. 1988, c.F-9;
- (b) the following reporting entities specified in Schedule B to the *Financial Administration Act*;
- (i) Health PEI,
- (ii) Prince Edward Island Energy Corporation,
- (iii) Prince Edward Island Liquor Control Commission,
- (iv) Island Waste Management Corporation,
- (v) Prince Edward Island Grain Elevators Corporation,
- (vi) Workers Compensation Board of Prince Edward Island,
- (vii) Prince Edward Island Agricultural Insurance Corporation,
- (viii) Prince Edward Island Employment Development Agency,
- (ix) Prince Edward Island Housing Corporation,

- (x) Prince Edward Island Museum and Heritage Foundation,
- (xi) Tourism PEI,
- (xii) Finance PEI,
- (xiii) Innovation PEI,
- (xiv) Island Investment Development Inc., and
- (xv) P.E.I. Student Financial Assistance Corporation;
- (c) a reporting entity specified in Schedule C to the *Financial Administration Act* with respect to persons employed
  - (i) pursuant to the Terms and Conditions of Employment for Excluded Supervisory and Confidential Employees, as designated by the Minister of Education, Early Learning and Culture, and
  - (ii) in the School Board Allied Professionals Group, as designated by the Minister of Education, Early Learning and Culture;
- (d) the following reporting entities specified in Schedule D to the *Financial Administration Act*
  - (i) Island Regulatory and Appeals Commission, and
  - (ii) Prince Edward Island Human Rights Commission;
- (e) the following entities:
  - (i) the Advisory Council on the Status of Women,
  - (ii) Environmental Industrial Services Inc.,
  - (iii) the Prince Edward Island Potato Board,
  - (iv) the Union of Public Sector Employees, and
  - (v) a provider of a Long Term Disability Insurance Plan, referred to in subsection 7.02(5) of the Act, that remits contributions to the Minister on behalf of a member.

(2) Notwithstanding subsection (1), a corporation is not a participating employer in the Fund with respect to any employee employed by a subsidiary of the corporation. Exception

5. These regulations come into force on April 1, 2018. Commencement

### EXPLANATORY NOTES

**SECTION 1** establishes the definition of “Act” for the purposes of the regulations.

**SECTION 2** provides that where a person transfers a lump-sum amount from the Fund to a registered pension plan, any surplus funds remaining after the transfer remain in the Fund.

**SECTION 3** establishes the requirements for proof of eligibility for pension benefits that apply to a member or vested former member, a person eligible for a separate pension under section 27.01 of the Act, a spouse or former spouse of a member, vested former member or pensioner, a dependent child of a member, vested former member or pensioner, and a personal representative of a member, vested former member or pensioner. The section also authorizes the Commission to accept alternative information as proof if the required information is not reasonably available to the person applying for pension benefits, and authorizes the Commission to request additional information from an applicant to establish proof of eligibility. If the dependent child is in receipt of a benefit, the Commission may require periodic proof of continued dependency.

**SECTION 4** establishes the participating employers to whom the Act applies.

**SECTION 5** provides for the commencement of the regulations.

**EC2018-86**

**CIVIL SERVICE SUPERANNUATION ACT  
CONTRIBUTIONS FOR ELIGIBLE PRIOR  
EMPLOYMENT REGULATIONS  
AMENDMENT**

Pursuant to section 28 of the *Civil Service Superannuation Act* R.S.P.E.I. 1988, Cap. C-9, Council made the following regulations:

**1. The Contributions for Eligible Prior Employment Regulations (EC572/04) are amended by the addition of the following after section 1:**

**1.1** These regulations apply to persons who became members and commenced to contribute to the Fund prior to April 1, 2018. Application

**2. Section 6 of the regulations is revoked and the following substituted:**

**6.** These regulations are revoked on March 31, 2020. Revocation

**3. These regulations come into force on April 1, 2018.**

**EXPLANATORY NOTES**

**SECTION 1** adds a new section 1.1 to the regulations to clarify that the regulations apply only to persons who became members and commenced to contribute to the Fund prior to April 1, 2018.

**SECTION 2** provides that the regulations will be revoked on March 31, 2020. Any member to whom the regulations apply may elect, until that date, to purchase eligible prior employment in accordance with the regulations.

**SECTION 3** provides for the commencement of the regulations.

**EC2018-87**

**CIVIL SERVICE SUPERANNUATION ACT  
ELIGIBLE PRIOR EMPLOYMENT REGULATIONS**

Pursuant to section 28 of the *Civil Service Superannuation Act* R.S.P.E.I. 1988, Cap. C-9, Council made the following regulations:

**1. In these regulations,** Definitions

(a) "Act" means of the *Civil Service Superannuation Act* R.S.P.E.I. 1988, Cap. C-9; Act

(b) "eligible prior employment" means employment of an individual with a participating employer prior to the individual's entry into the Fund in respect of which no contributions have been made to the Fund. eligible prior employment

**2.** These regulations apply to persons who become members and commence to contribute to the Fund on or after April 1, 2018. Application

**3. (1)** Any member who is contributing to the Fund may, within 24 months of commencing to contribute to the Fund, elect, in writing, to purchase eligible prior employment. Election of member

(2) The maximum eligible prior employment shall be equal to the actual number of regular hours worked in the 24 months immediately prior to the date the member commenced contributing to the Fund. Maximum eligible prior employment

(3) Where a member makes an election to purchase eligible prior employment, the required contributions shall be paid no later than 90 days from the date of the letter informing the member of the cost of purchasing the eligible prior employment. Deadline for payment

- (4) For greater certainty, employment that is prior to the date a participating employer began participating in the Fund shall not be considered as eligible prior employment. Limitation
- 4.** (1) The cost to purchase eligible prior employment is equal to the amount that is two times the sum of the base and supplementary contributions required in respect of the member's salary as of the date of the member's election to purchase the eligible prior employment. Purchase cost
- (2) The purchase of eligible prior employment shall be made by a single lump-sum payment. Lump-sum payment
- (3) Where the lump-sum payment is sufficient to cover the entire cost payable under subsection (1), the entire period of eligible prior employment shall be credited to the member as pensionable service. Where lump-sum payment sufficient
- (4) Where the lump-sum payment is insufficient to cover the entire cost payable under subsection (1), only that portion of the eligible prior employment paid for shall be credited to the member as pensionable service. Where lump-sum payment insufficient
- (5) The portion of the eligible prior employment to be credited to the member as pensionable service under subsection (4) shall be calculated by applying the ratio of the payment received divided by the total contributions required to the total period of eligible prior employment. Calculation
- 5.** Contributions for the purchase of a member's eligible prior employment are in addition to the contributions required of the member under the Act. Contributions
- 6.** (1) Where required under the *Income Tax Act* (Canada), a past service pension adjustment in respect of eligible prior employment purchased by a member shall be filed by the Minister with the appropriate Federal government authorities for their approval. *Income Tax Act* requirement
- (2) No benefits shall be paid with respect to eligible prior employment purchased until the Minister has received proof that the past service pension adjustment has been approved by the appropriate Federal government authorities referred to in subsection (1). Approval required
- 7.** These regulations come into force on April 1, 2018. Commencement

### EXPLANATORY NOTES

**SECTION 1** establishes definitions for the purposes of the regulations.

**SECTION 2** provides that these regulations apply only to persons who become members and commence to contribute to the Fund on or after April 1, 2018.

**SECTION 3** sets out the process by which a member may elect to purchase eligible prior employment, and establishes the maximum eligible prior employment that may be purchased.

**SECTION 4** establishes the cost to purchase eligible prior employment, requires that it be paid in the form of a single lump-sum payment, and clarifies the consequences where the lump-sum payment is or is not sufficient to purchase all of the eligible prior employment.

**SECTION 5** clarifies that contributions made to purchase a member's eligible prior employment are in addition to the contributions the member is required to make under the Act.

**SECTION 6** requires the Minister to file a past service pension adjustment in respect of eligible prior employment purchased by a member where it is required under the *Income Tax Act* (Canada), and provides that benefits shall not be paid in respect of the member's eligible prior employment until the past service pension adjustment has been approved by the appropriate Federal government authorities.

**SECTION 7** provides for the commencement of the regulations.

**EC2018-88**

**CIVIL SERVICE SUPERANNUATION ACT  
MATERNITY, PARENTAL AND ADOPTION LEAVE  
REGULATIONS  
AMENDMENT**

Pursuant to section 28 of the *Civil Service Superannuation Act* R.S.P.E.I. 1988, Cap. C-9, Council made the following regulations:

**1. The Maternity, Parental and Adoption Leave Regulations (EC411/01) are amended by the addition of the following after section 1:**

**1.1** These regulations apply to members whose leave commenced prior to January 1, 2018. Application

**2. The regulations are amended by the addition of the following after section 7:**

**8.** These regulations are revoked on March 31, 2020. Revocation

**3. These regulations come into force on April 1, 2018.**

**EXPLANATORY NOTES**

**SECTION 1** amends the regulations to add a new section 1.1 that clarifies that the regulations apply to members whose leave commenced prior to January 1, 2018. After January 1, 2018, the rules for purchasing the member's period of leave will be determined by the Commission, pursuant to section 17 of the Act.

**SECTION 2** provides that the regulations will be revoked on March 31, 2020. This allows a period of time during which members may elect to purchase leaves that commenced prior to January 1, 2018, before the regulations are revoked.

**SECTION 3** provides for the commencement of the regulations.

**EC2018-89**

**CIVIL SERVICE SUPERANNUATION ACT  
PARTICIPATING EMPLOYER REGULATIONS  
REVOCATION**

Pursuant to section 28 of the *Civil Service Superannuation Act* R.S.P.E.I. 1988, Cap. C-9, Council made the following regulations:

**1. The *Civil Service Superannuation Act* Participating Employer Regulations (EC414/01) are revoked.**

**2. These regulations come into force on March 31, 2018.**

**EXPLANATORY NOTES**

**SECTION 1** revokes the Participating Employer Regulations made under the *Civil Service Superannuation Act*.

**SECTION 2** provides for the commencement of the regulations.

**EC2018-90**

**CIVIL SERVICE SUPERANNUATION ACT  
SUSPENSION OF PENSION ELIGIBILITY REGULATIONS  
EMPLOYEES CONTINUING BEYOND AGE 65  
REVOCATION**

Pursuant to section 28 of the *Civil Service Superannuation Act* R.S.P.E.I. 1988, Cap. C-9, Council made the following regulations:

**1. The *Civil Service Superannuation Act* Suspension of Pension Eligibility Regulations Employees Continuing Beyond Age 65 (EC416/86) are revoked.**

**2. These regulations come into force on March 31, 2018.**

**EXPLANATORY NOTES**

**SECTION 1** revokes the Suspension of Pension Eligibility Regulations Employees Continuing Beyond Age 65 made under the *Civil Service Superannuation Act*.

**SECTION 2** provides for the commencement of the regulations.

**EC2018-91**

**CONDOMINIUM ACT  
REGULATIONS  
AMENDMENT**

Pursuant to section 36 of the *Condominium Act* R.S.P.E.I. 1988, Cap. C-16, Council made the following regulations:

**1. Section 22 of the *Condominium Act* Regulations (EC10/78) is revoked and the following substituted:**

**22.** The fees prescribed under the *Registry Act* are payable to the Registrars. Fees

**2. Schedule B to the regulations is amended by the revocation of the prescribed fees preceding Form 1.**

**3. These regulations come into force on March 10, 2018.**

**EXPLANATORY NOTES**

**SECTION 1** revokes section 22 of the *Condominium Act* Regulations and substitutes a new section 22 that establishes that the fees that are payable are those prescribed under the *Registry Act*.

**SECTION 2** amends Schedule B to the regulations by revoking the wording preceding Form 1 that prescribed fees that were different from the fees under the *Registry Act*.

**SECTION 3** provides for the commencement of the regulations.

## EC2018-92

**EMERGENCY 911 ACT  
911 COST RECOVERY FEES REGULATIONS  
AMENDMENT**

Pursuant to section 10 of the *Emergency 911 Act* R.S.P.E.I. 1988, Cap. E-5.1, Council made the following regulations:

**1. (1) The *Emergency 911 Act 911 Cost Recovery Fees Regulations (EC342/06)* are amended in the following provisions by the deletion of the words “Minister of Finance and Municipal Affairs” and the substitution of the words “Minister of Finance”:**

- (a) clause 3(4)(a);
- (b) subsection 4(1);
- (c) subsections 7(1), (3) and (8);
- (d) clause 8(3)(c);
- (e) clause 10(1)(b);
- (f) clause 11(1)(a);
- (g) subsection 14(1);
- (h) subsection 16(2);
- (i) subsections 18(1) and (4).

**(2) Subsections 5(1) and (2) of the regulations are amended by the deletion of the words “Minister of Finance, Energy and Municipal Affairs” and the substitution of the words “Minister of Finance”.**

**(3) The regulations are amended in the following provisions by the deletion of the words “Minister of Finance and Municipal Affairs” wherever they occur and the substitution of the words “Minister of Finance”:**

- (a) subsection 7(2);
- (b) subsection 10(2);
- (c) section 12;
- (d) subsection 14(2);
- (e) section 15;
- (f) subsection 16(1);
- (g) sections 19 and 22.

**(4) Subsection 7(8) of the regulations is amended by the deletion of the words “Department of Finance, Energy and Municipal Affairs” and the substitution of the words “Department of Finance”.**

**2. These regulations come into force on March 10, 2018.**

**EXPLANATORY NOTES**

**SECTION 1** updates the titles of the Minister of Finance and the Department of Finance throughout the regulations.

**SECTION 2** provides for the commencement of these regulations.

**EC2018-93**

EXECUTIVE COUNCIL ACT  
 MINISTER OF AGRICULTURE AND FISHERIES  
 AUTHORITY TO ENTER INTO AN AGREEMENT  
 (SERVICE AGREEMENT  
 RE: POTATO WART MANAGEMENT DOMESTIC LONG-TERM PLAN)  
 WITH  
 PUBLIC WORKS AND GOVERNMENT SERVICES 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 Agriculture and Fisheries to enter into an agreement with Public Works and Government Services Canada for the delivery of potato wart cleaning and disinfection services as part of the Canadian Food Inspection Agency's fiscal years 2017-2018 and 2018-2019 Potato Wart Management Domestic Long-Term Plan, such as more particularly described in the draft agreement.

**EC2018-94**

EXECUTIVE COUNCIL ACT  
 MINISTER OF INNOVATION AND ADVANCED LEARNING  
 AUTHORITY TO ENTER INTO AN AMENDED AGREEMENT  
 (CANADA-PRINCE EDWARD ISLAND  
 LABOUR MARKET DEVELOPMENT AGREEMENT)  
 WITH  
 THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Workforce and Advanced Learning to enter into an amended agreement with the Government of Canada, as represented by the Minister of Employment and Social Development, styled as the Minister of Families, Children and Social Development, and the Canada Employment Insurance Commission, to accept financial resources, for the period FY2017-2018 to FY2022-2023, such as more particularly described in the draft agreement.

**EC2018-95**

EXECUTIVE COUNCIL ACT  
 MINISTER OF INNOVATION AND ADVANCED LEARNING  
 AUTHORITY TO ENTER INTO AN AGREEMENT  
 (CANADA-PRINCE EDWARD ISLAND  
 WORKFORCE DEVELOPMENT AGREEMENT)  
 WITH  
 THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Workforce and Advanced Learning to enter into an agreement with the Government of Canada, as represented by the Minister of Labour styled as the Minister of Employment, Workforce Development and Labour, to accept financial resources, for the period FY2017-2018 to FY2022-2023, such as more particularly described in the draft agreement.

**EC2018-96**

FINANCIAL ADMINISTRATION ACT  
SPECIAL WARRANT  
(SUPPLEMENTARY CAPITAL EXPENDITURE  
FOR FISCAL YEAR 2016/17)  
DEPARTMENT OF TRANSPORTATION,  
INFRASTRUCTURE AND ENERGY

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

Account Class	Account Name	Amount
<b>Capital Improvements - Highways</b>		
0371-05002	National and Collector Highways	<u>\$188,000</u>

**EC2018-97**

ISLAND INVESTMENT DEVELOPMENT ACT  
FINANCIAL ASSISTANCE REGULATIONS  
102163 P.E.I. INC.  
AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to advance a five-year term loan for the maximum amount of four million (\$4,000,000.00) to 102163 P.E.I. Inc., subject to terms and conditions acceptable to the Board of Directors of Island Investment Development Inc.

**EC2018-98**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ANNIE CYR AND MARKUS SIEGRIST  
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Annie Cyr and Markus Siegrist, both of Chrysler, Ontario to acquire an interest in a land holding of approximately three hundred and eight decimal four two four (308.424) acres of land at Abrams Village, Lot 15, Prince County, Province of Prince Edward Island, being acquired from Samuel Gert Jan Meyer and Patricia Ann Meyer, both of Chilliwack, British Columbia and Anthony William Martin Meyer of Wellington Station, Prince Edward Island.

**EC2018-99**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 ALICE MITCHELL  
 (APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Alice Mitchell of Orillia, Ontario to acquire an interest in a land holding of approximately nine decimal eight six (9.86) acres of land at Burlington, Lot 20, Queens County, Province of Prince Edward Island, being acquired from BAP LTD. of Kensington, Prince Edward Island.

**EC2018-100**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 102064 P.E.I. 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 102064 P.E.I. Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately nine decimal eight six (9.86) acres of land at Burlington, Lot 20, Queens County, Province of Prince Edward Island, being acquired from BAP LTD. of Kensington, 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 102064 P.E.I. Inc. and on all successors in title.

**EC2018-101**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 BALTIC OYSTER COMPANY 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 Baltic Oyster Company Ltd. of Kensington, Prince Edward Island to acquire a land holding of approximately sixty-six decimal two nine (66.29) acres of land at Malpeque, Lot 18, Prince County, Province of Prince Edward Island, being acquired from Alfred Wall and Phyllis Wall, both of Malpeque, 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.

**EC2018-102**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 DUNK RIVER 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 Dunk River Farms Ltd. of Summerside, Prince Edward Island to acquire a land holding of approximately ninety-nine (99) acres of land at Bedeque, Lot 26, Prince County, Province of Prince Edward Island, being acquired from James David Schurman of Summerside, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2018-103**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 LARKIN BROS. 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 Larkin Bros. Inc. of Hunter River, Prince Edward Island to acquire a land holding of approximately two decimal five two (2.52) acres of land at Crapaud, Lot 29, Queens County, Province of Prince Edward Island, being acquired from Waddell's Inc. of Crapaud, Prince Edward Island.

**EC2018-104**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 MCFATRIDGE LIMITED,  
 AS TRUSTEE OF THE TREMONT TRUST  
 (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 McFatrige Limited, as Trustee of the Tremont Trust of Halifax, Nova Scotia to acquire a land holding of approximately thirty-one decimal three six (31.36) acres of land at Little Sands, Lot 64, Kings County, Province of Prince Edward Island, being acquired from Colin E. MacDonald of Bedford, Nova Scotia 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.

**EC2018-105**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
MONAGHAN 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 Monaghan Farms Ltd. of Norboro, Prince Edward Island to acquire a land holding of approximately four hundred and sixty-four decimal seven one (464.71) acres of land at Wilmot Valley, Lot 25; Kelvin Grove, Lot 25; Norboro and Springfield, Lots 19 and 25; and Kensington, Lot 19, all in Prince County, Province of Prince Edward Island, being acquired from Valley Grove Enterprises Ltd. of Kensington, 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.

**EC2018-106**

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 four decimal one four (4.14) acres of land at Souris Line Road, Lot 45, Kings County, Province of Prince Edward Island, being acquired from the Souris Striders Ski Club Inc. of Souris Line Road, Prince Edward Island.

**EC2018-107**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
SIEGRIST-CYR FARM  
(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 Siegrist-Cyr Farm of Wellington Station, Prince Edward Island to acquire a land holding of approximately three hundred and eight decimal four two four (308.424) acres of land at Abrams Village, Lot 15, Prince County, Province of Prince Edward Island, being acquired from Samuel Gert Jan Meyer and Patricia Ann Meyer, both of Chilliwack, British Columbia and Anthony William Martin Meyer of Wellington Station, 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.

**EC2018-108**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
APPLICATION TO LEASE LAND  
MONAGHAN FARMS LTD.  
(TO RESCIND)

Council, having under consideration Order-in-Council EC2013-164 of March 12, 2013, rescinded the said Order forthwith, thus rescinding permission for Monaghan Farms Ltd. of Norboro, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to six hundred and fifty (650) acres of land as part of the said corporation's aggregate land holdings.

**EC2018-109**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
APPLICATION TO LEASE LAND  
MONAGHAN FARMS LTD.  
(APPROVAL)

Pursuant to section 5 and clause 5.3(1)(b) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Monaghan Farms Ltd. of Norboro, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to two hundred (200) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Monaghan Farms Ltd. files a statement with the Island Regulatory and Appeals Commission within one year of the date of this Order and prior to 31 December in every subsequent year disclosing the parcel number, the acreage and the term of lease for each parcel leased during the reporting period covered by the statement.

**EC2018-110**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
APPLICATION TO LEASE LAND  
SUMMERFIELD FARMS LTD.  
(APPROVAL)

Pursuant to section 5 and clause 5.3(1)(b) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Summerfield Farms Ltd. of Norboro, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to one thousand (1,000) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Summerfield Farms Ltd. files a statement with the Island Regulatory and Appeals Commission within one year of the date of this Order and prior to 31 December in every subsequent year disclosing the parcel number, the acreage and the term of lease for each parcel leased during the reporting period covered by the statement.

**EC2018-111****REAL PROPERTY TAX ACT  
TAX CREDIT FACTOR REGULATIONS  
AMENDMENT**

Pursuant to section 43 of the *Real Property Tax Act* R.S.P.E.I. 1988, Cap. R-5, Council made the following regulations:

- 1. Subsection 2(1) of the *Real Property Tax Act* Tax Credit Factor Regulations (EC802/17) is amended by the deletion of the words “section 8.1” and the substitution of the words “section 4.1”.**
- 2. The Schedule to the regulations is revoked and the Schedule as set out in the Schedule to these regulations is substituted.**
- 3. These regulations come into force on April 1, 2018.**

**SCHEDULE  
SCHEDULE****TAX CREDIT FACTOR TABLE**

MUNICIPALITY	2018	2019	2020	2021 & subsequent years
Charlottetown	0.558	0.569	0.579	0.592
Summerside	0.558	0.569	0.579	0.592
Stratford	0.131	0.132	0.135	0.138
Cornwall	0.126	0.127	0.130	0.133
Alberton	0.126	0.127	0.130	0.133
Borden-Carleton	0.305	0.309	0.315	0.323
Georgetown	0.232	0.235	0.239	0.246
Kensington	0.251	0.255	0.260	0.266
Montague	0.126	0.127	0.130	0.133
O'Leary	0.126	0.127	0.130	0.133
Souris	0.305	0.309	0.315	0.323
Tignish	0.126	0.127	0.130	0.133
Abrams Village	0.008	0.011	0.011	0.012
Brackley	0.008	0.011	0.011	0.012
Brudenell	0.008	0.011	0.011	0.012
Eastern Kings	0.008	0.011	0.011	0.012
Hazelbrook	0.008	0.011	0.011	0.012
Kingston	0.008	0.011	0.011	0.012
Kinkora	0.008	0.011	0.011	0.012
Linkletter	0.008	0.011	0.011	0.012
Lower Montague	0.008	0.011	0.011	0.012
Miltonvale Park	0.008	0.011	0.011	0.012
Miscouche	0.008	0.011	0.011	0.012
New Haven-Riverdale	0.008	0.011	0.011	0.012
North Rustico	0.008	0.011	0.011	0.012
North Shore	0.008	0.011	0.011	0.012
Resort Municipality	0.008	0.011	0.011	0.012
Sherbrooke	0.008	0.011	0.011	0.012
Union Road	0.008	0.011	0.011	0.012
Victoria	0.008	0.011	0.011	0.012
Warren Grove	0.008	0.011	0.011	0.012
Wellington	0.008	0.011	0.011	0.012

### EXPLANATORY NOTES

**SECTION 1** amends the Tax Credit Factor Regulations to correct a reference to section 8.1 of the Act. The reference should be to section 4.1 of the Act.

**SECTION 2** revokes the original Schedule to the regulations and substitutes a new Schedule that includes 20 additional municipalities to which the regulations apply.

**SECTION 3** provides for the commencement of the regulations.

### EC2018-112

#### TEACHERS' SUPERANNUATION ACT GENERAL REGULATIONS

Pursuant to section 33 of the *Teachers' Superannuation Act* R.S.P.E.I. 1988, Cap. T-1, Council made the following regulations:

1. In these regulations, "Act" means the *Teachers' Superannuation Act* R.S.P.E.I. 1988, Cap. T-1. "Act" defined
  
2. (1) For the purposes of subsection 16(6) of the Act, and subject to subsection (2), in computing the amount of yearly pension payable to a member who is under the age of 65 years and eligible to receive an unreduced yearly pension under subsection 16(6) of the Act, the yearly pension shall be adjusted by reducing the amount payable by the amount calculated in accordance with subsection 18(2) of the Act. Adjustment of yearly pension
  - (2) The adjustment referred to in subsection (1) does not apply to the yearly pension payable to a member who provides proof satisfactory to the Commission, upon the request of the Commission, that the member is not receiving Canada Pension Plan disability benefits. Exception
  
3. Where a person transfers a lump sum amount from the Fund to a registered pension plan under section 30 of the Act in respect of transfer of service, any surplus funds remaining after the transfer shall remain with the Fund. Surplus funds after transfer
  
4. (1) Where a member or vested former member is applying for pension benefits, the member or vested former member shall provide to the Commission, in the applicable form approved by the Commission, the following information to establish proof of eligibility for pension benefits: Proof of eligibility - member or vested former member
  - (a) a declaration that the person is the member or vested former member;
  - (b) proof of the member or vested former member's date of birth.
  - (2) Where a person who is eligible for a separate pension under section 31.91 of the Act is applying for pension benefits, the person shall provide to the Commission, in the applicable form approved by the Commission, the following information to establish proof of eligibility for pension benefits: Proof of eligibility - person eligible for separate pension
    - (a) a declaration that the person is the person entitled to a separate pension;
    - (b) proof of the person's date of birth.
  - (3) Where a spouse or former spouse of a member, vested former member or pensioner is applying for pension benefits, the person shall provide to the Commission, in the specified form or the applicable form approved by the Commission, the following information to establish proof of eligibility for pension benefits: Proof of eligibility - spouse or former spouse
    - (a) where the person was married to the member, vested former member or pensioner, a copy of the marriage certificate or an equivalent document evidencing the marriage;
    - (b) where the person was not married to the member, vested former member or pensioner,

- (i) proof that the person and the member, vested former member or pensioner were claiming each other as common-law spouses on a T-1 General Income Tax and Benefit Return filed under the *Income Tax Act* (Canada) for the year preceding the date of the application, or
- (ii) if applicable, a copy of the long form birth certificate, an adoption order or an equivalent document evidencing that the person and the member, vested former member or pensioner were the natural or adoptive parents of a child or children;
- (c) a declaration that the person and the spouse or former spouse of the member, vested former member or pensioner were living together for a continuous period of at least three years, including on the date of death of the member, vested former member or pensioner;
- (d) proof of the dates of birth of both the person and the member, vested former member or pensioner.

(4) Where a dependent child of a member, vested former member or pensioner is applying for pension benefits under section 24 or 25 of the Act, the dependent child, or his or her guardian, shall provide to the Commission, in the specified form or the applicable form approved by the Commission, the following information to establish proof of eligibility for pension benefits:

Proof of eligibility -  
dependent child

- (a) a copy of the long form birth certificate, an adoption order or an equivalent document evidencing that the dependent child is the natural or adopted child of the member, vested former member or pensioner;
- (b) where the child is 18 years of age or older and dependent on the member, vested former member or pensioner for maintenance and support by reason of mental or physical disability,
  - (i) confirmation from a medical practitioner that the person applying for the benefit has a mental or physical disability that renders the person dependent on the member, vested former member or pensioner, and
  - (ii) proof that the member, vested former member or pensioner was claiming the dependent child when filing a T-1 General Income Tax and Benefit Return filed under the *Income Tax Act* (Canada) for the year preceding the date of the application;
- (c) where the child is 18 years of age or older and is attending post-secondary studies, evidence of attendance on a full-time basis at an institution of learning described in subsection 14(2) of the *Student Financial Assistance Act* R.S.P.E.I. 1988, Cap. S-8.2;
- (d) a declaration that the person was at the time of the member's, vested former member's or pensioner's death, and still is, the dependent child of the member, vested former member or pensioner;
- (e) proof of the dates of birth of both the dependent child and the member, vested former member or pensioner.

(5) Where a personal representative of a member, vested former member, pensioner or person entitled to a separate pension is applying for pension benefits under the Act, the personal representative shall provide to the Commission, in the specified form or the applicable form approved by the Commission, the following information to establish proof of eligibility for pension benefits:

Personal  
representative

- (a) a copy of the letters probate or letters of administration of the Supreme Court or a superior court of a province or territory appointing the person as the personal representative of the estate of the member, vested former member, pensioner or person entitled to a separate pension;
- (b) a declaration that the person is the personal representative of the estate of the member, vested former member, pensioner or person entitled to a separate pension;
- (c) a copy of the death certificate of the member, vested former member, pensioner or person entitled to a separate pension.

(6) Notwithstanding subsections (1) to (5), the Commission may accept alternative information to establish proof of eligibility for pension benefits if, in the opinion of the Commission, the required information is not reasonably available to the person who is making the application for pension benefits.

Alternative  
information

- (7) In addition to the information required by subsections (1) to (5), an applicant for pension benefits shall provide any additional information required by the Commission to establish the applicant's proof of eligibility for pension benefits under the Act. Additional information
- (8) Where a dependent child is in receipt of a benefit, the Commission may require periodic proof of continued dependency. Periodic proof
5. For the purpose of determining the pensionable salary of a member under subsection 1(4) of the Act, unpaid leave for the following purposes shall be included in the determination if the period of leave is in excess of one year in duration: Determining pensionable salary - unpaid leave
- (a) unpaid leave granted for the purposes of taking employment with the Department of Education, Early Learning and Culture;
- (b) unpaid leave granted for the purposes of seeking or holding public office as outlined in the Memorandum of Agreement between the Education Negotiating Agency and the Prince Edward Island Teachers' Federation.
6. (1) This section applies to indexation in respect of approved leaves that commence after December 31, 2013. Application of section
- (2) Subject to subsection (3), where a member commences a leave on September 1 in a year, section 17.1 of the Act applies to the member's pensionable salary as if the member were credited with service in respect of that period of leave to a maximum of two years. Leave commencing on September 1
- (3) Where a leave commenced as specified in subsection (2) exceeds two years, that portion of the leave that exceeds two years shall be subject to section 19.2 of the Act. Leave exceeding maximum period
- (4) Subject to subsection (5), where a member commences a leave on a day other than September 1 in a year, section 17.1 of the Act applies to the member's pensionable salary as if the member were credited with service in respect of that period of leave for the remainder of the year in which the leave commenced and up to a maximum of two additional years. Leave commencing other than September 1
- (5) Where a leave commenced as specified in subsection (4) exceeds the maximum period of leave permitted under that subsection, the portion of the leave that exceeds the maximum is subject to section 19.2 of the Act. Leave exceeding maximum period
7. The *Teachers' Superannuation Act* Regulations (EC206/77) are revoked. Revocation
8. These regulations come into force on April 1, 2018. Commencement

### EXPLANATORY NOTES

**SECTION 1** defines the term "Act" for the purposes of the regulations.

**SECTION 2** provides that in computing the amount of yearly pension payable to a member under 65 who is eligible to receive an unreduced yearly pension under subsection 16(6) of the Act, the yearly pension shall be adjusted in accordance with subsection 18(2) of the Act, except in respect of a member who provides proof satisfactory to the Commission that the member is not receiving Canada Pension Plan disability benefits.

**SECTION 3** provides that any surplus funds remaining after a transfer of a lump sum amount from the Fund to a registered pension plan under section 30 of the Act shall remain with the Fund.

**SECTION 4** establishes the information and proof that must be provided to the Commission in an application for pension benefits by a member or vested former member, a person eligible for a separate pension under section 31.91 of the Act, a spouse or former spouse of a member, vested former member or pensioner, a dependent child of a member, vested former member or pensioner, or a personal representative of a member, vested former member or pensioner. The section also authorizes the Commission to accept alternative information if the required information

is not reasonably available to the applicant, and to require additional information where necessary to establish the applicant's eligibility.

**SECTION 5** specifies two types of unpaid leave that are to be included for the purposes of subsection 1(4) of the Act, if the period of leave is longer than one year.

**SECTION 6** establishes rules respecting indexation that apply where a member commences a leave on September 1 or on another day in a year, including what rules apply where the leave exceeds the maximum periods specified in the section.

**SECTION 7** revokes the *Teachers' Superannuation Act* Regulations (EC206/77).

**SECTION 8** provides for the commencement of the regulations.

### EC2018-113

#### TEACHERS' SUPERANNUATION ACT MATERNITY, PARENTAL AND ADOPTION LEAVE REGULATIONS AMENDMENT

Pursuant to section 33 of the *Teachers' Superannuation Act* R.S.P.E.I. 1988, Cap. T-1, Council made the following regulations:

**1. The *Teachers' Superannuation Act* Maternity, Parental and Adoption Leave Regulations (EC423/01) are amended by the addition of the following after section 1:**

**1.1** These regulations apply to members whose leave commenced prior to August 31, 2018. Application

**2. The regulations are amended by the addition of the following after section 7:**

**8.** These regulations are revoked on August 31, 2020. Revocation

**3. These regulations come into force on April 1, 2018.**

#### EXPLANATORY NOTES

**SECTION 1** amends the regulations by adding a new section 1.1 that clarifies that the regulations apply to leaves that commenced prior to August 31, 2018.

**SECTION 2** amends the regulations by adding a new section 8 that revokes the regulations effective August 31, 2020.

**SECTION 3** provides for the commencement of the regulations.