

**EC2021-555**

EXECUTIVE COUNCIL ACT  
MINISTER OF ECONOMIC GROWTH,  
TOURISM AND CULTURE  
AUTHORITY TO ENTER INTO AN AMENDMENT AGREEMENT  
(CANADIAN FISH AND SEAFOOD PROGRAM)  
WITH THE  
GOVERNMENTS OF CANADA, THE OTHER PROVINCES  
AND THE TERRITORIES

Pursuant to clauses 10(a) and (b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Economic Growth, Tourism and Culture to enter into an amended agreement with the Government of Canada as represented by the Minister of Fisheries, Oceans and the Canadian Coast Guard and the Governments of the other Provinces (excepting Alberta and Manitoba) and the Territories, as represented by their respective Ministers Responsible for Trade, to participate in the Framework Agreement for the Canadian Fish and Seafood Program, for the period April 1, 2018 to March 31, 2024, such as more particularly described in the draft agreement.

**EC2021-556**

EXECUTIVE COUNCIL ACT  
MINISTER OF ECONOMIC GROWTH, TOURISM AND CULTURE  
AUTHORITY TO ENTER INTO AN AMENDED AGREEMENT  
(WOMEN IN CONSTRUCTION PROJECT)  
WITH  
THE PROVINCE OF NEW BRUNSWICK  
AND  
THE PROVINCE OF NEWFOUNDLAND AND LABRADOR  
AND  
THE PROVINCE OF NOVA SCOTIA

Pursuant to clause 10(b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Economic Growth, Tourism and Culture to enter into an amended agreement with the Province of New Brunswick, as represented by the Minister of Post-Secondary Education, Training and Labour; the Province of Newfoundland and Labrador, as represented by the Minister of Advanced Education, Skills and Labour; and the Province of Nova Scotia, as represented by the Minister of Labour and Advanced Education to participate in the Women in Construction project, effective upon the last party signing until March 31, 2022, such as more particularly described in the draft agreement.

## EC2021-557

**HIGHWAY TRAFFIC ACT  
POWER-ASSISTED BICYCLES REGULATIONS**

Pursuant to section 312 of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

**PART 1- INTERPRETATION**

1. (1) In these regulations,
- |  | Definitions                                |
|--|--|
| (a) “Act” means the <i>Highway Traffic Act</i> R.S.P.E.I. 1988, Cap. H-5;  | Act  |
| (b) “Department” means the Department of Transportation and Infrastructure;  | Department                                 |
| (c) “Minister” means the Minister of Transportation and Infrastructure;  | Minister                                   |
| (d) “power-assisted bicycle” means a pedal-driven bicycle of conventional exposed fork-and-frame bicycle design and appearance that  | power-assisted bicycle                     |
| (i) has steering handlebars,   |  |
| (ii) has two or three wheels,  |  |
| (iii) is fitted at all times with functional pedals that are operable to propel the bicycle,   |  |
| (iv) is designed to be propelled solely by human power when it ceases being propelled by its electric motor,   |  |
| (v) has one or more auxiliary electric motors that have, singly or in combination, the following characteristics:  |  |
| (A) a total continuous power output rating, measured at the shaft of each motor, of 500 watts or less,   |  |
| (B) if power assistance is engaged by the use of muscular power, power assistance immediately ceases when the muscular power ceases,   |  |
| (C) if power assistance is engaged by the use of an accelerator controller, power assistance immediately ceases when the brakes are applied,   |  |
| (D) power assistance ceases when the bicycle attains a speed of 32 kilometres per hour on level ground,  |  |
| (vi) bears a label that is permanently affixed by the manufacturer and appears in a conspicuous location stating, in both official languages, that the device is a power-assisted bicycle, and   |  |
| (vii) has either   |  |
| (A) an enabling mechanism to turn the electric motor on and off that is separate from the accelerator controller and fitted in a manner that makes it operable by the operator, or   |  |
| (B) a mechanism that prevents the motor from being engaged before the bicycle attains a speed of three kilometres per hour;  |  |
| (e) “public park” means a provincial park or land designated by a municipality for use as a park;  | public park                                |
| (f) “trail” means the trail designated as the Confederation Trail pursuant to subsection 4(1) of the <i>Trails Act</i> R.S.P.E.I. 1988, Cap. T-4.1, and includes any other trail designated under subsection 4(2) of that Act.   | trail                                      |
| (2) A power-assisted bicycle is deemed not to be a motor vehicle under the Act.  | Power-assisted bicycle not a motor vehicle |
| (3) Despite subsection (2), any municipal bylaw that governs or prohibits the operation of a motorized vehicle applies to a power-assisted bicycle unless the bylaw provides otherwise.  | Municipal bylaw                            |
| (4) Despite the definitions of “bicycle” and “moped” or “motor-assisted pedal bicycle” in section 1 of the Act, the Act applies to a power-assisted bicycle and to the operation of a power-assisted bicycle as if it were a bicycle and not a moped, motor-assisted pedal bicycle or motor vehicle, subject to these regulations. | Application of Act                         |

**PART 2 – WHERE POWER-ASSISTED BICYCLES PERMITTED**

- 2.** No person shall operate a power-assisted bicycle on a highway, trail or in a public park unless
- Operation on highway
- (a) the bicycle's operation is permitted by and is in accordance with these regulations; and
- (b) where the highway, trail or public park is under the jurisdiction of a municipality, the bicycle's operation is permitted by and is in accordance with an applicable municipal bylaw.
- 3.** (1) Subject to subsection (2), a person may operate a power-assisted bicycle on a roadway or on the shoulder of a highway.
- Operation on roadway or shoulder
- (2) A power-assisted bicycle shall not be operated on any highway to which access by pedestrians or bicycles is prohibited under any Act, regulation or municipal bylaw.
- Where prohibited
- 4.** (1) Where bicycle lanes are provided on a highway, a power-assisted bicycle shall be operated only in the bicycle lanes.
- Bicycle lanes
- (2) Where bicycle lanes are not provided on a highway or where the operation of power-assisted bicycles in bicycle lanes is prohibited by a municipal bylaw, a power-assisted bicycle shall be operated only
- (a) where there is a shoulder on the highway, on the shoulder as close to the right edge of the shoulder as possible; or
- (b) where there is no shoulder on the highway, on the right side of the roadway as close to the edge of the roadway as possible.
- Shoulder or edge of roadway
- 5.** For greater certainty, no person shall operate a power-assisted bicycle
- Prohibition
- (a) on a sidewalk or walkway; or
- (b) on a trail unless the person is operating the power-assisted bicycle during the period beginning April 1 in a year and ending November 30 in the year pursuant to clause 3(b.1) of the *Trails Act* General Regulations (EC760/03).

**PART 3 - EQUIPMENT**

- 6.** The unladen weight of a power-assisted bicycle shall not exceed 120 kilograms.
- Maximum weight
- 7.** The diameter of the wheels of a power-assisted bicycle shall not be less than 406.4 millimetres.
- Wheel diameter
- 8.** (1) The battery and motor of a power-assisted bicycle shall be securely fastened to the power-assisted bicycle to prevent them from moving while the power-assisted bicycle is in motion.
- Battery and motor
- (2) The motor of a power-assisted bicycle shall
- Motor
- (a) be electric;
- (b) have continuous power output ratings that in total do not exceed 500 watts; and
- (c) not be capable of propelling the power-assisted bicycle at a speed greater than 32 kilometres per hour on level ground.
- (3) A power-assisted bicycle shall be equipped with a mechanism, separate from the accelerator controller, that
- Mechanism separate from accelerator
- (a) allows the operator to turn the motor on and off from a normal seated position while operating the power-assisted bicycle; or
- (b) prevents the motor from turning on or engaging before the power-assisted bicycle attains a speed of three kilometres per hour.
- (4) The motor of a power-assisted bicycle shall turn off or disengage where
- Motor shut-off requirement
- (a) the operator of the power-assisted bicycle stops pedalling;
- (b) an accelerator controller is released; or
- (c) the brakes are applied.
- 9.** A power-assisted bicycle shall not be equipped with a generator, alternator or similar device powered by a combustion engine.
- Combustion engine power prohibited
- 10.** All electric terminals on a power-assisted bicycle shall be completely insulated and covered.
- Electric terminals
- 11.** (1) A power-assisted bicycle shall be equipped with
- Lamps, reflectors, brakes, horn

- (a) a mounted integral head lamp and tail lamp;
- (b) reflex reflectors;
- (c) brakes on all wheels or on each axle; and
- (d) a bell or horn.

(2) The braking system of a power-assisted bicycle shall be capable of bringing the power-assisted bicycle, while being operated at a speed of 30 kilometres per hour on a clean, paved and level surface, to a full stop within nine metres from the point at which the brakes are applied.

Braking system

#### PART 4 - SAFE OPERATION

12. (1) Every operator of a power-assisted bicycle shall at all times keep a safe distance from pedestrians and other users of a highway, trail, sidewalk, walkway or public park and shall give way to a pedestrian or bicycle by slowing or stopping, as necessary, where there is insufficient space for the pedestrian or bicycle and the power-assisted bicycle to pass.

Safe distance

(2) A power-assisted bicycle shall not be operated on a highway, trail or in a public park at a speed that is markedly greater than the speed of any pedestrians who are proximate to the power-assisted bicycle.

Comparable speed

(3) Every operator of a power-assisted bicycle shall sound the bell or horn on the power-assisted bicycle whenever it is reasonably necessary to notify cyclists, pedestrians or others of its approach.

Bell, horn

(4) Every operator of a power-assisted bicycle shall, when operating the power-assisted bicycle at any time from one-half hour before sunset to one-half hour after sunrise and at any other time where, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles are not clearly visible at a distance of 150 metres or less, ensure the power-assisted bicycle has a lighted lamp at the front displaying a white or amber light, and at the rear either a lighted lamp displaying a red light or a reflector.

Lighted lamps at front, rear

(5) A power-assisted bicycle shall not be operated in a manner that may harm, injure or damage, either directly or indirectly, any person or property.

Safe operation

#### PART 5 - GENERAL RULES - OPERATION

13. (1) Every person who operates a power-assisted bicycle shall obey the same road rules as bicyclists, subject to this Part.

Rights and duties

(2) No person under the age of 16 years shall operate a power-assisted bicycle.

Minimum age of operator

(3) The owner of a power-assisted bicycle shall not authorize or knowingly permit a person under the age of 16 years to operate the power-assisted bicycle.

Obligation of owner

(4) No person shall operate a power-assisted bicycle as if it were a bicycle where the driver's license of the person is suspended or cancelled under the Act or the person is otherwise disqualified or prohibited from operating a motor vehicle or obtaining a driver's license under the Act.

Where driver's license suspended

(5) No person operating a power-assisted bicycle shall carry any other person on the power-assisted bicycle unless the bicycle is manufactured to carry a passenger.

Passenger

(6) No person operating a power-assisted bicycle shall tow another person, vehicle or device.

Prohibition against towing

(7) No person operating a power-assisted bicycle shall attach the power-assisted bicycle to another bicycle, vehicle or device for the purpose of being drawn or towed.

Prohibition against attaching to another device

(8) No person shall ride on or operate a power-assisted bicycle unless the person is wearing a properly fitted and fastened bicycle safety helmet.

Safety helmet

(9) The bicycle safety helmet referred to in subsection (8) shall meet the standards for bicycle safety helmets as specified in the *Highway Traffic Act* Bicycle Safety Helmet Regulations (EC329/03).

Approved for use by CSA

- (10) No person shall operate a power-assisted bicycle on a highway beside a moped, bicycle or another power-assisted bicycle that is operating in the same traffic lane. Prohibition against operation in same lane
- (11) Subsection (10) does not apply where the person is Exemption
- (a) travelling in the near vicinity of and in the same direction as a moped, bicycle or another power-assisted bicycle and the person is operating the power-assisted bicycle in single file in relation to the moped, bicycle or other power-assisted bicycle;
- (b) making or attempting to make a turn on a highway; or
- (c) overtaking or passing a moped, bicycle or another power-assisted bicycle.
- 14.** No person shall operate a power-assisted bicycle where the bicycle has been modified after its manufacture in any way that may result in Prohibition against modification after manufacture
- (a) increasing its power or its maximum speed beyond the limits set out in paragraph 1(1)(d)(v)(D); or
- (b) its being propelled by any form of non-muscular propulsion other than its electric motor.
- 15.** (1) No person shall operate a power-assisted bicycle unless it is in good working order. Good working order
- (2) The owner or operator of a power-assisted bicycle shall ensure the bicycle and all of its components are maintained in good working order at all times. Components good working order
- 16.** Every operator of a power-assisted bicycle shall stop when required to do so by a peace officer and shall, on the demand of the peace officer, Duty to stop
- (a) surrender the operator's driver's license, if the license is in the operator's possession, for reasonable inspection by the officer; or
- (b) provide the officer with the operator's correct name, address and date of birth.
- 17.** (1) Where a power-assisted bicycle is involved in an accident with a pedestrian, animal or vehicle that results in personal injury or property damage, or both, the operator of the power-assisted bicycle shall report the accident to a peace officer without delay and furnish the officer with the information concerning the accident as may be required under subsection (2). Duty to report accident
- (2) A peace officer receiving the report of an accident under subsection (1) shall secure from the person making the report, or by other inquiries where necessary, the particulars of the accident, the persons involved, the extent of the personal injuries or property damage, if any, and any other information that may be necessary to complete a written report concerning the accident. Written report
- (3) The written report of a peace officer referred to in subsection (2) shall be Written report to Registrar
- (a) provided to the Registrar by the peace officer within 10 days of the accident being reported to the officer; and
- (b) in a form approved by the Minister.

#### PART 6 - OFFENCE AND PENALTY

- 18.** Every person who contravenes any provision of these regulations is guilty of an offence and liable on summary conviction to a fine of not less than \$200 and not more than \$2,000. Offence and penalty
- 19.** These regulations come into force on July 10, 2021. Commencement

#### EXPLANATORY NOTES

**SECTION 1** establishes definitions for the purposes of the regulations. The section clarifies that a power-assisted bicycle is deemed not to be a motor vehicle under the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5 and that, despite the definitions for "bicycle", "moped" or "motor-assisted pedal bicycle" in section 1 of the Act, the Act applies to the operation of a power-assisted bicycle as if it were a bicycle and not a moped, motor-assisted pedal bicycle or motor vehicle, subject to the regulations.

**SECTION 2** specifies that a power-assisted bicycle must be operated in accordance with the regulations and where the bicycle is operated in an area under the jurisdiction of a municipality, it must be operated in accordance with an applicable municipal bylaw.

**SECTION 3** authorizes the operation of a power-assisted bicycle on a roadway or on the shoulder of a highway, but where access by pedestrians or bicycles is prohibited on any highway, the operation of a power-assisted bicycle is also prohibited on that highway.

**SECTION 4** establishes that where bicycle lanes are provided on a highway, a power-assisted bicycle shall be operated only in the bicycle lanes. Where there are no bicycle lanes, a power-assisted bicycle shall be operated only on the shoulder as close to its right edge as possible or on the right side of the roadway as close to the roadway's edge as possible.

**SECTION 5** clarifies that a power-assisted bicycle shall not be operated on a sidewalk or walkway or on the Confederation Trail outside the specified time-frame.

**SECTION 6** specifies the unladen weight of a power-assisted bicycle shall not exceed 120 kilograms.

**SECTION 7** specifies the diameter of the wheels of a power-assisted bicycle shall not be less than 406.4 millimetres.

**SECTION 8** outlines the battery and motor requirements of a power-assisted bicycle.

**SECTION 9** prohibits a power-assisted bicycle from being equipped with a generator, alternator or similar device powered by a combustion engine.

**SECTION 10** specifies all electric terminals on a power-assisted bicycle shall be completely insulated and covered.

**SECTION 11** requires a power-assisted bicycle to be equipped with a head and tail lamp, reflectors, brakes and a bell or horn. The section specifies that the braking system of the bicycle must be capable of coming to a full stop within nine metres from the point at which the brakes are applied when travelling at a speed of 30 kilometers per hour.

**SECTION 12** requires an operator of a power-assisted bicycle to keep a safe distance from pedestrians and other users of a highway, to maintain a speed not significantly greater than the speed of any nearby pedestrians, and to sound the bicycle's bell or horn, where necessary, to notify cyclists or pedestrians of its approach. The section requires an operator of a power-assisted bicycle to have lighted front and rear lamps when riding during non-daylight hours or where persons or vehicles are not clearly visible due to poor weather conditions. The section mandates that a power-assisted bicycle shall not be operated in a manner that may harm, injure or damage any person or property.

**SECTION 13** specifies no person under the age of 16 years shall operate a power-assisted bicycle and prohibits the owner of the bicycle from allowing a person under the age of 16 years to operate the bicycle. The section prohibits a person from operating a power-assisted bicycle as if it were a bicycle where the driver's license of the person is suspended or cancelled or where the person is disqualified from operating a motor vehicle or obtaining a driver's license under the Act. The section outlines other general operational rules in respect of the prohibition against towing, the requirement to wear a bicycle safety helmet, the prohibition against operating a power-assisted bicycle beside a moped, bicycle or another power-assisted bicycle in the same traffic lane as a moped or other cyclists unless travelling in single file, making a turn or passing.

**SECTION 14** outlines a prohibition against operating a power-assisted bicycle where it has been modified after its manufacture.

**SECTION 15** requires the owner or operator of a power-assisted bicycle to maintain the bicycle in good working order at all times.

**SECTION 16** requires every operator of a power-assisted bicycle to stop when required to do so by a peace officer and to provide the officer with the operator's name, address and date of birth.

**SECTION 17** requires the operator of a power-assisted bicycle involved in an accident to report the accident to a peace officer and to provide the officer with the particulars of the accident, the persons involved, the extent of personal injuries or property damage, if any, and any other information the officer may need to complete a written report, which shall be provided to the Registrar.

**SECTION 18** is an offence and penalty provision.

**SECTION 19** provides for the commencement of the regulations.

### **EC2021-558**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
101521 P.E.I. INC.  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to 101521 P.E.I. Inc. of Brackley Beach, Prince Edward Island to acquire a land holding of approximately two (2) acres of land at Brackley Beach, Lot 33, Queens County, Province of Prince Edward Island, being acquired from Donald E. Cashen and June Cashen, both of Dartmouth, Nova Scotia.

### **EC2021-559**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
101521 P.E.I. INC.  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to 101521 P.E.I. Inc. of Brackley Beach, Prince Edward Island to acquire a land holding of approximately thirty-seven decimal one two (37.12) acres of land at Brackley Beach, Lot 33, Queens County, Province of Prince Edward Island, being acquired from T & L Holdings Ltd. of Dartmouth, Nova Scotia.

**EC2021-560**

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

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Arsenault Bros. Holdings Inc. of Cornwall, Prince Edward Island to acquire a land holding of approximately nine decimal zero eight (9.08) acres of land at Summerside, Lot 19, Prince County, Province of Prince Edward Island, being acquired from Tranquility Properties Inc. of Summerside, Prince Edward Island.

**EC2021-561**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
CLINTON HILLS DEVELOPMENT INCORPORATED  
(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 Clinton Hills Development Incorporated of Summerside, Prince Edward Island to acquire a land holding of approximately thirty-one decimal nine six (31.96) acres of land at Clinton, Lot 20, Queens County, Province of Prince Edward Island, being acquired from Thomas H. Petrofsky and Priscilla A. Petrofsky, both of Clinton, Prince Edward Island PROVIDED THAT approximately twenty-five decimal seven one (25.71) acres of the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Clinton Hills Development Incorporated and on all successors in title.

**EC2021-562**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
E & W BROWN HOLDINGS INC.  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to E & W Brown Holdings Inc. of Kensington, Prince Edward Island to acquire a land holding of approximately one decimal five (1.5) acres of land at Kensington, Lot 19, Prince County, Province of Prince Edward Island, being acquired from Town of Kensington of Kensington, Prince Edward Island.



**EC2021-563**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
GOLDEN BAY DAIRY 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 Golden Bay Dairy Inc. of Southampton, Prince Edward Island to acquire a land holding of approximately sixteen (16) acres of land at Strathcona, Lot 54, Kings County, Province of Prince Edward Island, being acquired from David Garrett and Valerie Garrett, both of St. Peters, 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.

**EC2021-564**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
GOLDEN BAY DAIRY 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 Golden Bay Dairy Inc. of Southampton, Prince Edward Island to acquire a land holding of approximately forty-nine (49) acres of land at Forest Hill, Lot 41, Kings County, Province of Prince Edward Island, being acquired from Erik Rikkert ter Beek and Sharon Marie ter Beek, both of Southampton, 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.

**EC2021-565**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
GOLDEN BAY DAIRY 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 Golden Bay Dairy Inc. of Southampton, Prince Edward Island to acquire a land holding of approximately three hundred and one decimal eight five (301.85) acres of land at Strathcona, Lot 54, Kings County, Province of Prince Edward Island, being acquired from Garrett Farms Ltd. of St. Peters, 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.

**EC2021-566**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 MACKAY COLD STORAGE 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 MacKay Cold Storage Inc. of Beach Point, Prince Edward Island to acquire a land holding of approximately zero decimal five three (0.53) of an acre of land at Beach Point, Lot 64, Kings County, Province of Prince Edward Island, being acquired from Joan MacKay and Milton MacKay, both of Murray Harbour, Prince Edward Island.

**EC2021-567**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 NATURE CONSERVANCY OF CANADA  
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Nature Conservancy of Canada of Toronto, Ontario to acquire a land holding of approximately sixty-five (65) acres of land at North Enmore, Lot 10, Prince County, Province of Prince Edward Island, being acquired from Gary Malikowski of West Greenwich, Rhode 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.

**EC2021-568**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 NATURE CONSERVANCY OF CANADA  
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Nature Conservancy of Canada of Toronto, Ontario to acquire a land holding of approximately one hundred and five (105) acres of land at North Enmore, Lot 10, Prince County, Province of Prince Edward Island, being acquired from Robert Gleason and Barbara Gleason, both of St. Cloud, Florida 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.

**EC2021-569**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
PANMURE HOLDINGS 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 Panmure Holdings Ltd. of Montague, Prince Edward Island to acquire a land holding of approximately five decimal nine (5.9) acres of land at Panmure Island, Lot 61, Kings County, Province of Prince Edward Island, being acquired from Sandra Phillips of Victoria, British Columbia 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.

**EC2021-570**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
PANMURE HOLDINGS 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 Panmure Holdings Ltd. of Montague, Prince Edward Island to acquire a land holding of approximately six decimal one (6.1) acres of land at Panmure Island, Lot 61, Kings County, Province of Prince Edward Island, being acquired from The Paul Jenkins 2013 Family Trust of Charlottetown, 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.

**EC2021-571**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
VALLEY GROVE ENTERPRISES 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 Valley Grove Enterprises Ltd. of Kelvin Grove, Prince Edward Island to acquire a land holding of approximately twenty-seven decimal three three (27.33) acres of land at Ellerslie-Bideford, Lot 12, Prince County, Province of Prince Edward Island, being acquired from Darryl Edward Diemert of Ellerslie-Bideford, 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.

**EC2021-572**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
APPLICATION TO LEASE LAND  
100540 P.E.I. INC. DOING BUSINESS  
AS G.P. EXPRESS  
(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 100540 P.E.I. Inc. doing business as G.P. Express of Unionvale, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to two hundred and fifty (250) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said 100540 P.E.I. Inc. doing business as G.P. Express 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.

**EC2021-573**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
JANINE HATFIELD  
(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 Janine Hatfield of Saint John, New Brunswick to acquire a land holding of approximately twenty-five (25) acres of land at Forest Hill, Lot 41, Kings County, Province of Prince Edward Island, being acquired from Dianne Proper of St. Peters Bay, 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.

**EC2021-574**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
PHILIP JAMES INGRAM AND CHRISTINE LYNNE INGRAM  
(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 Philip James Ingram and Christine Lynne Ingram, both of Aurora, Ontario to acquire a land holding of approximately one hundred fifty-eight decimal zero four (158.04) acres of land at Darlington, Lot 31, Queens County, Province of Prince Edward Island, being acquired from Warren Kirk MacDonald and Bonita Fay MacDonald, both of Darlington, 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.

**EC2021-575**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
RICHARD PODOLINSKY  
(DENIAL)

Council, having under consideration an application (#N6170) 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 Richard Podolinsky of Alvinston, Ontario to acquire a land holding of approximately sixty-nine (69) acres of land at Rice Point, in Lot 65, Queens County, currently owned by the Estate of Fred Currie of Rice Point, Prince Edward Island.

**EC2021-576**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
VINCENT ROY AND SARAH D'ARGENT  
(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 Vincent Roy and Sarah D'Argent, both of Calgary, Alberta to acquire a land holding of approximately eighteen decimal eight six (18.86) acres of land at Murray Road, Lot 11, Prince County, Province of Prince Edward Island, being acquired from Richard Netfin and Sharon McNulty, both of Orford, Quebec 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.

**EC2021-577**

PUBLIC HEALTH ACT  
CONTINUATION OF  
DECLARATION  
STATE OF PUBLIC HEALTH EMERGENCY

WHEREAS a state of public health emergency was declared in Prince Edward Island on March 16, 2020, pursuant to Order-in-Council EC2020-174; and continued on April 15, 2020 by Order-in-Council EC2020-254; on May 15, 2020 by Order-in-Council EC2020-305; and on June 15, 2020 by Order-in-Council EC2020-350; on July 15, 2020 by Order-in-Council EC2020-435; on August 14, 2020 by Order-in-Council EC2020-488; on September 13, 2020 by Order-in-Council EC2020-542; on October 13, 2020 by Order-in-Council EC2020-603; on November 12, 2020 by Order-in-Council EC2020-649; on December 12, 2020 by Order-in-Council EC2020-724; on January 11, 2021 by Order-in-Council EC2021-1; on February 10, 2021 by Order-in-Council EC2021-71; on March 12, 2021 by Order-in-Council EC2021-138; on April 11, 2021 by Order-in-Council EC2021-271; and on May 11, 2021 by Order-in-Council EC2021-407; and on June 10, 2021 by Order-in-Council EC2021-494;

WHEREAS Council has determined, on the advice of the Chief Public Health Officer, that a public health emergency continues to exist as a result of COVID-19 (coronavirus);

AND WHEREAS continued coordination of action or special measures are required in order to protect the public health of the population;

THEREFORE, Council continues Order-in-Council EC2020-174 pursuant to subsection 49(5) of the *Public Health Act*, R.S.P.E.I. Cap. P-30.1 effective July 10, 2021 for a period of thirty (30) days, unless it is sooner terminated or continued by Council.

#### EC2021-578

### REGULATED HEALTH PROFESSIONS ACT COUNSELLING THERAPISTS REGULATIONS

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

#### PART 1 - INTERPRETATION

- |   |                       |
|---|-----------------------|
| <b>1. In these regulations</b>  | Definitions           |
| (a) "Act" means the <i>Regulated Health Professions Act</i> R.S.P.E.I. 1988, Cap. R-10.1;   | Act                   |
| (b) "Council" means the Council of the College of Counselling Therapy of Prince Edward Island established under section 3;  | Council               |
| (c) "counselling therapist" means a member registered in the register for counselling therapy, except where otherwise provided;   | counselling therapist |
| (d) "counselling therapy" means the health profession in which a person   | counselling therapy   |
| (i) uses mental health and human development principles, methods and techniques within a counselling relationship to assist another person with mental, emotional, physical, social, moral, educational, spiritual or career development and adjustment throughout the person's lifespan, and |                       |
| (ii) engages in research, education, consultation, management or administrative activities incidental to performing the activities referred to in subclause (i);  |                       |
| (e) "refresher program" means a refresher program in counselling therapy consisting of a formal curriculum, a set of individualized assignments of studies and experiences, a set of continuing education credits, a practicum or a combination of these elements.                            | refresher program     |

#### PART 2 - DESIGNATION

- |  |                             |
|--|-----------------------------|
| <b>2. (1)</b> Counselling therapy is designated as a regulated health profession.  | Regulated health profession |
| (2) Counselling therapy is prescribed for the purpose of subsection 2(4) of the Act.   | Title protection only       |
| (3) For the purpose of subsection 89(1) of the Act, "counselling therapist" and "CT" are designations of a member.                 | Designations of a member    |
| <b>3.</b> The College of Counselling Therapy of Prince Edward Island is hereby established as the college for counselling therapy. | College established         |

#### PART 3 - REGISTRATION

##### Register

- |   |                   |
|---|-------------------|
| <b>4.</b> The register for counselling therapy is divided into the following parts: | Parts of register |
| (a) general registration;   |                   |
| (b) provisional registration;   |                   |
| (c) special registration.   |                   |

### Registration

**5.** An applicant for registration in the general registration part of the register shall General registration

(a) for the purpose of clause 12(2)(c) of the Act, meet the education requirement set out in section 10;

(b) for the purpose of clause 12(2)(d) of the Act, have successfully completed the examinations set out in section 11;

(c) for the purpose of clause 12(2)(e) of the Act, have obtained at least 450 hours of practical experience directly with clients, either as a component of the education program set out in section 10 or through subsequent supervised practice;

(d) for the purpose of clause 12(2)(f) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 12; and

(e) for the purpose of clause 12(2)(j) of the Act, hold or be covered by professional liability insurance or protection as required in section 13.

**6.** (1) Where an applicant under section 5 does not have the practical experience required in clause 5(c), the Council may direct the registrar to register the applicant in the provisional registration part of the register, subject to the term or condition that the applicant obtains the practical experience within a specified time period. Provisional registration

(2) Where a counselling therapist satisfies the term or condition imposed under subsection (1), the registrar shall register the counselling therapist in the general registration part of the register. Satisfaction of term or condition

(3) A counselling therapist with provisional registration shall be supervised in practising counselling therapy by a counselling therapist with general registration, approved by the Council. Subject to supervision

(4) Provisional registration may not be reinstated. No reinstatement

**7.** (1) Where the Council directs the registrar to register an applicant pursuant to subsection 13(3) of the Act, the registrar shall register the applicant in the special registration part of the register. Special registration

(2) Special registration may not be renewed or reinstated. No renewal or reinstatement

### Renewal of Registration

**8.** An applicant for the renewal of general registration or provisional registration shall Renewal of general or provisional registration

(a) for the purpose of subclause 22(2)(a)(i) of the Act, fulfil the requirements for continuing education and competency set out in section 14;

(b) for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 12; and

(c) for the purpose of subclause 22(2)(a)(v) of the Act, hold or be covered by professional liability insurance or protection as required in section 13.

### Reinstatement of Registration

**9.** (1) For the purpose of subsection 24(1) of the Act, the maximum prescribed period of time following a lapse in general registration during which a person may apply for reinstatement is three years. Reinstatement period

(2) An applicant for the reinstatement of general registration shall Reinstatement of general registration

(a) for the purpose of clause 24(4)(c) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 12; and

(b) for the purpose of clause 24(4)(f) of the Act, hold or be covered by professional liability insurance or protection as required in section 13.

### Prescribed Requirements

**10.** For the purpose of this Part, the requirement with respect to education is Education

- (a) a master's degree program in counselling therapy approved by Council; or
- (b) education and training that the Council considers substantially equivalent to a program described in clause (a).
- 11.** For the purpose of this Part, the required examinations are Examinations
- (a) a provincial examination established or adopted by the Council to assess knowledge and understanding of the jurisprudence, ethical standards and standards of practice governing counselling therapy in the province; and
- (b) a competency examination established, approved or adopted by the Council.
- 12.** (1) For the purpose of this Part, an applicant shall have done one of the following within the three years preceding the application to demonstrate currency of professional knowledge and skills: Currency of professional knowledge and skills
- (a) successfully completed the educational requirement set out in section 10 or obtained the practical experience required in clause 5(c);
- (b) actively practised counselling therapy as a counselling therapist authorized by the laws of the jurisdiction of practice to practise without any restrictions, for at least 750 hours;
- (c) successfully completed a refresher program satisfactory to the registrar.
- (2) Where an applicant fails to demonstrate currency under subsection (1), the Council may require the applicant to successfully complete a refresher program approved by the Council within the time period specified by the Council. Failure to demonstrate currency
- 13.** (1) For the purpose of this Part and clause 25(3)(c) of the Act, an applicant or counselling therapist, as the case may be, is required to hold or be covered by professional liability insurance under a policy that provides coverage of not less than \$2,000,000 per claim or occurrence and an aggregate limit of not less than \$2,000,000, excluding legal or court costs. Insurance
- (2) An applicant or counselling therapist shall provide or ensure the registrar is provided with the most current certificate of professional liability insurance issued by the insurer that confirms the applicant or counselling therapist is insured under a policy that meets the requirements of subsection (1). Valid certificate required
- 14.** (1) For the purpose of this Part, the requirements for continuing education and competency are the participation in and successful completion of the continuing competency program established by the Council in accordance with section 60.1 of the Act. Continuing competency
- (2) A counselling therapist shall Record
- (a) keep a record in a form satisfactory to the registrar of the activities that the counselling therapist undertakes for the purpose of this section; and
- (b) provide copies of the record referred to in clause (a) on the request of and in accordance with the directions of the registrar.
- PART 4 - GENERAL**
- 15.** (1) For the purpose of clause 15(1)(d) of the Act, the name of a corporation applying for a permit to carry on the business of providing the professional services of a counselling therapist shall be, in the opinion of the registrar, in good taste, dignified and professional. Name of corporation
- (2) Before changing its name, a health profession corporation shall obtain written confirmation from the registrar that the proposed name meets the requirements of subsection (1). Change of name
- 16.** (1) A person who, immediately before the date this section comes into force, is a member in good standing of an association set out in the first column of the table below and holds a designation set out in the second column of the table below awarded by that association, is deemed, on and after the date this section comes into force, to be registered in the general registration part of the register: Transitional



## Counselling Associations and Designations

Association	Designation
1. Association of Cooperative Counselling Therapists of Canada	MTC RTC AC
2. Canadian Art Therapy Association	RCAT
3. Canadian Association for Marriage and Family Therapy	RMFT
4. Canadian Association for Spiritual Care	CSCP CPST
5. Canadian Association of Music Therapists	MTA
6. Canadian Counselling and Psychotherapy Association	CCC
7. Canadian Professional Counselling Association	RPC MPCC
8. International Expressive Arts Therapy Association	REAT
9. North American Drama Therapy Association	RDT
10. Professional Association of Christian Counsellors and Psychotherapists	CPC

(2) The registration of a person referred to in subsection (1) expires 90 days after the date this section comes into force, unless it is sooner revoked, and may be renewed in accordance with section 22 of the Act. Expiry

(3) Subclauses 22(2)(a)(i) and (ii) of the Act do not apply to a person referred to in this section the first time the person applies to renew the person's registration. Exception on renewal

**17.** These regulations come into force on August 1, 2021. Commencement

**EXPLANATORY NOTES**

**SECTION 1** defines terms used in these regulations.

**SECTION 2** designates counselling therapy as a regulated health profession and prescribes it as a regulated health profession that does not have a distinct and identifiable scope of practice so that the prohibition in subsection 2(3) of the Act does not apply to the practise of counselling therapy. It sets out the designation of a counselling therapist as a protected title.

**SECTION 3** establishes the College of Counselling Therapy of Prince Edward Island.

**SECTION 4** divides the register into three parts: general registration, provisional registration and special registration.

**SECTION 5** sets out certain requirements for registration in the general registration part of the register.

**SECTION 6** provides for registration in the provisional part of the register and requires a member with provisional registration to be supervised in their practice. It also provides that provisional registration may not be reinstated.

**SECTION 7** provides for registration in the special registration part of the register. It also provides that special registration may not be renewed or reinstated.

**SECTION 8** sets out the requirements for the renewal of general registration or provisional registration.

**SECTION 9** sets out the requirements for the reinstatement of general registration, where the applicant's registration has lapsed for less than three years.

**SECTION 10** prescribes the educational requirements for counselling therapy.

**SECTION 11** prescribes the examinations for counselling therapy.

**SECTION 12** prescribes options for demonstrating currency of professional knowledge and skills and empowers the Council to require an applicant who does not demonstrate currency to take a refresher program.

**SECTION 13** prescribes requirements with respect to professional liability insurance for applicants or counselling therapists, as the case may be.

**SECTION 14** prescribes continuing competency requirements for the renewal of registration in the register. It requires counselling therapists to keep a record of their continuing competency activities and provide a copy to the registrar on request.

**SECTION 15** requires that the name of a corporation applying for a permit to carry on the business of providing the services of a counselling therapist shall be, in the opinion of the registrar, in good taste, dignified and professional. It requires a health profession corporation to obtain written confirmation from the registrar that any proposed name change meets those requirements.

**SECTION 16** deems persons who are members in good standing of specified associations and have specified designations to be registered in the general registration part of the register on the coming into force of this section. It requires those persons to renew their registration within 90 days of the coming into force of this section to ensure they are listed on the register.

**SECTION 17** provides for the commencement of these regulations.

**EC2021-579**

FINANCIAL ADMINISTRATION ACT  
SPECIAL WARRANT  
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2019/2020)  
DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE

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

<b>Account Class</b>	<b>Account Name</b>	<b>Amount</b>
	<b>Capital Improvements – Buildings</b>	
1160-5010	Buildings	\$6,645,700
	<b>Capital Improvements – Highways</b>	
0368-5010	National and Collector Highway	110,600
0370-5032	Light Fleet	<u>37,600</u>
	<b>Total</b>	<b><u>\$6,793,900</u></b>