



PRINCE EDWARD ISLAND  
ÎLE-DU-PRINCE-ÉDOUARD

# **REGULATIONS REVISION ACT**

## PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this Act, current to December 2, 2015. It is intended for information and reference purposes only.

This document is ***not*** the official version of the Act. The Act and the amendments as printed under the authority of the King's Printer for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the *Table of Public Acts* on the Prince Edward Island Government web site ([www.princeedwardisland.ca](http://www.princeedwardisland.ca)).

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## REGULATIONS REVISION ACT

### CHAPTER R-11

#### 1. Definitions

In this Act

- (a) “**Minister**” means the Minister of the Crown designated by the Lieutenant Governor in Council to have the administration of this Act;
- (b) “**regulation**” means a regulation, rule, order or bylaw of a legislative nature made or approved under an Act of the Legislature by the Lieutenant Governor in Council, a Minister of the Crown, or an official of the government. *1975, c.84, s.2.*

#### 2. Certain matters deemed regulations

- (1) Where a regulation, rule, order, or bylaw is made or approved, pursuant to an Act of the Legislature, by the Lieutenant Governor in Council, a member of the Executive Council, if it prescribes, fixes or designates
  - (a) a district, area, person, animal or other thing; or
  - (b) a period of time,

within, to, during, or in respect of, which the Act or any provision thereof does or does not apply, in whole or in part, generally or in a restricted manner, or within, to, during, or in respect of, which the Act provides that a thing specified in the Act may or may not be done, or shall or shall not be done, the regulation, rule, order, or bylaw, shall be deemed to be a regulation as defined in clause 1(b).

##### **Proclamation, certain exempted**

- (2) Subsection (1) does not apply to an order of the Lieutenant Governor in Council directing the issue of a proclamation bringing into force, or suspending or repealing, an Act of the Legislature or any provision thereof. *1975, c.84, s.3.*

#### 3. Revisers, appointment

- (1) The Lieutenant Governor in Council shall appoint one or more persons to classify, consolidate and revise the regulations of the province under the direction of the Minister.

##### **Advisory board**

- (2) The Lieutenant Governor in Council may appoint an advisory board of not less than three members who shall act in an active advisory and consultative capacity from time to time to the person or persons appointed under subsection (1) under such terms of reference and direction as may be prescribed by the Minister. *1975, c.84, s.4.*

**4. Determining what constitutes a regulation**

The person or persons appointed under section 3 may decide whether a regulation, rule, order or bylaw is a regulation as defined in clause 1(b). *1975, c.84, s.5.*

**5. Powers on revision**

In consolidating and revising the regulations, the person or persons appointed under section 3 may

- (a) omit regulations and parts of them that have expired, been repealed or suspended, or had their effect;
- (b) alter the numbering and arrangement of the regulations, and of the different sections and other provisions in them;
- (c) alter the language of the regulations in order to preserve a uniform mode of expression within the Acts;
- (d) make such minor amendments to the regulations as are necessary to clarify the language used in them;
- (e) divide the regulations into parts or divisions;
- (f) attribute titles to regulations for the purpose of identification;
- (g) make formal alterations as to names, localities, offices and otherwise as may be necessary to bring the regulations into conformity with present circumstances; and
- (h) make such amendments as are required to reconcile seemingly inconsistent regulations, or to correct clerical or typographical errors. *1975, c.84, s.6; 1977, c.38, s.7.*

**6. Indexing the regulations**

The Minister may provide for indexing the revised regulations in such manner as he considers is calculated to make them conveniently usable. *1975, c.84, s.7.*

**7. Committee to review**

- (1) The revised regulations shall not come into effect unless they are approved by the advisory board referred to in section 3 and by the Lieutenant Governor in Council

**Date revision comes into force**

- (2) The revised regulations shall come into force on a date fixed by the Lieutenant Governor in Council.

**Gazette effect on**

- (3) The revised regulations shall, on the date they come into force, be deemed to have been published in the Gazette. *1975, c.84, s.8.*

**8. Repeal of superseded regulations**

On the date that the revised regulations come into force, any regulations or parts of regulations included in the published revised regulations shall be deemed to have repealed the regulations for which the revised regulations are in substitution. *1975, c.84, s.9.*

**9. Revised regulations, evidence of the laws**

Copies of the Revised Regulations of Prince Edward Island purporting to be printed by the Queen's Printer or under the authority of the Queen's Printer shall be evidence of the laws contained therein in all courts and places whatsoever. *1979, c.15, s.1.*

**10. Continuing office consolidation**

- (1) The Minister may designate a person employed in the department under the administration of the Minister to establish and maintain a continuing office consolidation of the regulations of the province in the form the Minister considers appropriate.

**Updating consolidation**

- (2) The person designated by the Minister under subsection (1) shall ensure that the continuing office consolidation is brought up to date by including in it all amendments to the revised regulations and all new regulations as soon as reasonably possible after they come into force. *1979, c.15, s.1; 2015, c.41, s.1.*

**11. Effect of amendment of existing regulations on revision**

- (1) Where any provision of a regulation which is made prior to the coming into force of the new regulations repeals or amends any provision of the old regulations or inserts any new provision therein, the repeal, amendment or insertion made by that provision to or in terms of the old regulations shall be deemed to have been made to or in terms of the corresponding provision of the new regulations with effect from the date on which the relevant provision of that regulation comes into force or the date the new regulations come into force, whichever is the later date.

**Definitions**

- (2) In subsection (1)
- (a) “**new regulations**” means the Revised Regulations of Prince Edward Island or any subsequent revision of the regulations of the province;
  - (b) “**old regulations**” means the regulations in force prior to the coming into force of the Revised Regulations of Prince Edward Island or any subsequent revision of the regulations of the province. *1979, c.15, s.1.*

**12. Regulations**

The Lieutenant Governor in Council may make regulations,

- (a) prescribing the powers and duties of the persons appointed under section 3;
- (b) prescribing the form and arrangement of regulations;
- (c) prescribing a system of indexing regulations;
- (d) exempting any regulations, rules, orders or bylaws or any class thereof from the revision of the regulations;
- (d) respecting the title and citation of the revised regulations;
- (f) generally for the carrying out of the provisions of this Act. *1975, c.84, s.10.*