



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

PROVINCIAL EMBLEMS AND HONOURS ACT

PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this Act, current to May 6, 2022. 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).

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PROVINCIAL EMBLEMS AND HONOURS ACT

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PROVINCIAL EMBLEMS AND HONOURS ACT

CHAPTER P-26.1

PART 1 - PROVINCIAL EMBLEMS

1. Floral emblem

The flower known botanically as *Cypripedium acaule* and popularly known as the lady's slipper is adopted as and shall be the floral emblem of the province. 1997,c.36,s.1.

1.1 Animal emblem

The animal known scientifically as *Vulpes vulpes* and popularly known as the red fox is adopted as and shall be the animal emblem of the province. 2018,c.39,s.1.

2. Avian emblem

The bird known scientifically as *Cyanocitta cristata* (L.) and popularly known as the blue jay is adopted as and shall be the avian emblem of the province. 1997,c.36,s.2.

3. Silvan emblem

The tree known botanically as *Quercus rubra* L. and popularly known as the red oak is adopted as and shall be the silvan emblem of the province. 1997,c.36,s.3.

3.1 Provincial soil

The soil series known as the Charlottetown Series is adopted as and shall be the official provincial soil. 1998,c.97,s.1.

PART 2 - PROVINCIAL HONOURS

4. Order established

- (1) There is established an Order of Prince Edward Island, members of which shall be awarded the Prince Edward Island Medal of Merit.

Object

- (2) The object of the Order is to recognize individual excellence, achievement and outstanding contributions to the social, cultural or economic well-being of Prince Edward Island and its residents.

Status

- (3) The Order is the highest provincial honour that can be bestowed on a resident of the province.
1997,c.36,s.4.

5. Chancellor

The Lieutenant Governor is

- (a) the Chancellor of the Order; and
(b) a member of the Order for life. *1999,c.41,s.1.*

6. Establishment of Advisory Council

- (1) There is established an Order of Prince Edward Island Advisory Council.

Members

- (2) The council is composed of nine members as follows:
- (a) the Chief Justice of Prince Edward Island;
(b) the President of the University of Prince Edward Island;
(c) the Clerk of Executive Council; and
(d) two residents of each county in the province appointed by the Lieutenant Governor in Council for a term not exceeding three years.

Reappointment

- (3) Members of the council appointed pursuant to clause (2)(d) are eligible for reappointment for not more than one further term.

Chairperson

- (4) The Lieutenant Governor in Council shall designate the chairperson of the council.

Expenses

- (5) The chairperson and members of the council are not entitled to remuneration but may be reimbursed for reasonable expenses incurred in the performance of their duties. *1997,c.36,s.6.*

7. Functions

- (1) The council shall
- (a) meet at least annually;
(b) receive and consider nominations for the Order;
(c) each calendar year,
(i) select from the persons for whom a nomination is submitted under subsection 11(1), and
(ii) submit to the President of the Executive Council,
the names of not less than three persons, in total, that the council considers worthy of being invested with membership in the Order; and
(d) advise the Lieutenant Governor in Council on any other matters respecting the Order that, in the opinion of the council, should be brought to the attention of the Lieutenant Governor in Council.

Submission of names any time during year

- (2) For greater certainty, the council may, under subsection (1), submit the name of a person to the President of the Executive Council at any time during a calendar year that the council considers appropriate. *1997,c.36,s.7; 2014;c.42,s.1.*

8. Procedure

The council may determine the procedures for the conduct of its business. *1997,c.36,s.8.*

9. Secretary

- (1) The Lieutenant Governor in Council may appoint a secretary of the council.

Functions

- (2) The secretary of the council shall
- (a) maintain the records of the Order and the council;
 - (b) arrange for investitures; and
 - (c) perform any other functions with respect to the Order that the council may require. *1997,c.36,s.9.*

10. Membership criteria

- (1) Subject to subsections (2) and (3), Canadian citizens who are current or former long-term residents of Prince Edward Island are eligible for membership in the Order.

Members of Parliament or Legislative Assembly

- (2) No member of a Legislative Assembly of a province or member of the Senate or House of Commons of Canada is eligible for nomination for membership in the Order while holding office.

Judges

- (3) No judge of any court of any province or of Canada is eligible for nomination for membership in the Order while holding office as a judge.

Posthumous award

- (4) The Order shall not be conferred posthumously except in the case of a council nominee who dies after his or her name has been submitted to the President of the Executive Council. *1997,c.36,s.10.*

11. Nominations

- (1) Individuals and organizations may submit to the secretary nominations of persons for membership in the Order.

Selection

- (2) Repealed by 2014;c.42,s.2.

Submission of names

- (3) The President of Executive Council, shall, on receipt from the council under subsection 7(1) of the name of a selected person, submit the name of the selected person to the Chancellor.

Investiture

- (4) The Chancellor shall invest with the Order those persons selected by the council for membership in the Order. *1997,c.36,s.11; 2014,c.42,s.2.*

12. Duration of membership

Subject to section 16, persons on being invested with the Order are members for life. *1997,c.36,s.12.*

13. Precedence

The Order takes precedence over all other honours, awards and decorations conferred by the Government. *1997,c.36,s.13; 2022,c.62,s.54.*

14. Evidence of membership

Members of the Order shall receive letters patent signed by the Chancellor and sealed with the Great Seal as evidence of membership. *1997,c.36,s.14.*

15. Insignia

- (1) The insignia of the Order include
- (a) a medal incorporating the provincial coat of arms, without the Latin inscription, against a background of gold and blue, worn with a ribbon of rust, green and white, and a miniature thereof; and
 - (b) a lapel pin bearing the provincial coat of arms.

Privileges

- (2) A member of the Order is entitled to
- (a) wear the insignia of the Order as a decoration; and
 - (b) use the initials "O.P.E.I." after his or her name. *1997,c.36,s.15.*

16. Resignation

A member may resign from the Order by giving written notice of his or her intention to resign, signed by the member, to the Chancellor. *1997,c.36,s.16.*

17. Revocation

The Chancellor may, on the recommendation of the council, terminate a person's membership in the Order by revoking the letters patent of the member. *1997,c.36,s.17.*

18. Return of insignia etc.

Where a person ceases to be a member of the Order pursuant to section 16 or 17, that person shall immediately return to the secretary

- (a) the letters patent mentioned in section 17; and
- (b) the insignia of the Order,

that were presented to him or her on his or her investiture with the Order. *1997,c.36,s.18.*

19. Offence

Any person who is not a member of the Order and who

- (a) holds himself or herself out as a member of the Order;
- (b) displays or uses any insignia of the Order; or
- (c) uses the initials of the Order after his or her name,

is guilty of an offence and is liable on summary conviction to a fine of not more than \$2,000.
1997,c.36,s.19.

20. Transitional

The provisions of this Act apply to members of the Order awarded the Prince Edward Island Medal of Merit before the date on which this Act comes into force. *1997,c.36,s.20.*

21. Repeal

Act repealed. *1997,c.36,s.21.*