

Royal Gazette

Prince Edward Island

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Charlottetown, Prince Edward Island, December 23, 2017

**CANADA
PROVINCE OF PRINCE EDWARD ISLAND
IN THE SUPREME COURT - ESTATES DIVISION**

TAKE NOTICE that all persons indebted to the following estates must make payment to the personal representative of the estates noted below, and that all persons having any demands upon the following estates must present such demands to the representative within six months of the date of the advertisement:

Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
ALPORT, Shirley Ann Charlottetown Queens Co., PE December 23, 2017 (51–12)*	Rita Caruana (EX.)	Ian Bailey 513B North River Road Charlottetown, PE
HOLMAN, Helen Marion Crapaud Queens Co., PE December 23, 2017 (51–12)*	Carol Ann Corner (EX.)	Campbell Lea 65 Water St. Charlottetown, PE
JOHNSTON, William Ernest Robert Charlottetown Queens Co., PE December 23, 2017 (51–12)*	Deborah (Debra) Burley Ramsay (EX.)	Carr, Stevenson & MacKay 65 Queen St. Charlottetown, PE
LEWIS, Ella Woodstock Prince Co., PE December 23, 2017 (51–12)*	Beverley Hingley (EX.) Karen Hill (EX.)	Robert McNeill Law Office 251 Water St. Summerside, PE
MacDONALD, Katherine Bernice Stratford Queens Co., PE December 23, 2017 (51–12)*	Gene-Marie MacDonald (EX.) Gerard E. Mitchell (EX.)	Carr, Stevenson & MacKay 65 Queen St. Charlottetown, PE
TASSELL, John Angus Little Pond Kings Co., PE December 23, 2017 (51–12)*	Margaret Ann Tassell (EX.)	Allen J. MacPhee Law Corp. 106 Main St. Souris, PE

*Indicates date of first publication in the Royal Gazette.

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TUDOR, E. S. Fiona (aka Elizabeth Susannah Fiona Tudor, Elizabeth Susannah Fiona Tudor-Matthews, and Elizabeth Susannah Fiona Petersen) La Jolla San Diego Co., California December 23, 2017 (51-12)*	Kirk Dennis Petersen (EX.)	Birt & McNeill 138 St. Peters Road Charlottetown, PE
DesROCHE, Mary Linda Ann Summerside Prince Co., PE December 23, 2017 (51-12)*	Roger Joseph DesRoche (AD.)	Key Murray Law 494 Granville St. Summerside, PE
MacEACHERN, Marie A. (also known as Anna Marie Manderson) Charlottetown Queens Co., PE December 23, 2017 (51-12)*	Mark Gallant (AD.)	Stewart McKelvey 65 Grafton St. Charlottetown, PE
FOLEY, Mary Scituate Massachusetts, USA December 16, 2017 (50-11)	Mary E. McKenna (EX.)	Stewart McKelvey 65 Grafton St. Charlottetown, PE
GREENLEE, Elizabeth T. (also known as Beth Elizabeth Greenlee) Highlands Jackson Co., North Carolina December 16, 2017 (50-11)	Megan Greenlee Potts (EX.) Duncan Thomas Greenlee (EX.)	T. Daniel Tweel Law Office 105 Kent St. Charlottetown, PE
HARRIS, Pauline Gloria (also known as Pauline Harris) Eldon Queens Co., PE December 16, 2017 (50-11)	Gordon Edward Harris (EX.)	Stewart McKelvey 65 Grafton St. Charlottetown, PE
MacDONALD, M. Melinda (aka Mary Melinda MacDonald) Charlottetown Queens Co., PE December 16, 2017 (50-11)	Barbara R. Campbell (EX.) Wendy A. Hancox (EX.)	Stewart McKelvey 65 Grafton St. Charlottetown, PE

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MILLAR, George Taylor Tyne Valley Prince Co., PE December 16, 2017 (50-11)	Arthur Millar (EX.) Margaret Bagnall (EX.)	Key Murray Law 446 Main St. O'Leary, PE
MORRISON, Edith Gladys Summerside Prince Co., PE December 16, 2017 (50-11)	Cynthia (Cindy) Faye Bulger (EX.)	Key Murray Law 446 Main St. O'Leary, PE
PICKERING, George Roland Clinton Queens Co., PE December 16, 2017 (50-11)	Kenneth Taylor (EX.)	Key Murray Law 494 Granville St. Summerside, PE
SULLIVAN, Geraldine Loretta Cardigan Kings Co., PE December 16, 2017 (50-11)	Nancy G. Jamieson (EX.) Donald A. Sullivan (EX.)	Cox & Palmer 4A Riverside Dr. Montague, PE
DUFFY, James "Jimmy" Richard Maple Plains Prince Co., PE December 16, 2017 (50-11)	Josie McKenna (AD.)	Cox & Palmer 250 Water St. Summerside, PE
WALSH, Louis Donald Frederick Borden-Carleton Prince Co., PE December 16, 2017 (50-11)	Terry Louis Walsh (AD.)	Key Murray Law 494 Granville St. Summerside, PE
BATT, Ruth Dicks Charlottetown Queens Co., PE December 9, 2017 (49-10)	Margot Ruth Ball (EX.)	Stewart McKelvey 65 Grafton St. Charlottetown, PE
DOUCETTE, Joseph Paul (also known as Paul Joseph Doucette) St. Felix Prince Co., PE December 9, 2017 (49-10)	Theresa Mary Doucette (EX.)	Carla Kelly Law Office 102-100 School St. Tignish, PE

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KENNEDY, Donald Murray Lower Freetown Prince Co., PE December 9, 2017 (49-10)	Stacy Chowen (EX.)	Robert McNeill 251 Water St. Summerside, PE
MacDONALD, Shirley Ann (also known as Shirlee Ann MacDonald) Summerside Prince Co., PE December 9, 2017 (49-10)	Vera Lynn Gallant (EX.) Brenton Neil John MacDonald (EX.)	Key Murray Law 494 Granville St. Summerside, PE
MILLER, Ruth Dianne Central Lot 16 Prince Co., PE December 9, 2017 (49-10)	Debra Miller (EX.) William D. Miller (EX.)	Cox & Palmer 250 Water St. Summerside, PE
NEWPORT, Emily Charlotte Charlottetown Queens Co., PE December 9, 2017 (49-10)	Nancy Shaw (EX.) Roy Newport (EX.)	Stewart McKelvey 65 Grafton St. Charlottetown, PE
RYAN, Thomas Emmett Mitchell Ontario December 9, 2017 (49-10)	Louis Murray Ryan (EX.) Owen Albert Ryan (EX.)	Carr, Stevenson, MacKay 65 Queen St. Charlottetown, PE
TOMILSON, Pearle I. Charlottetown Queens Co., PE December 9, 2017 (49-10)	Margaret A. Knox (EX.)	Campbell Stewart 137 Queen St. Charlottetown, PE
COMPTON, Stanley Muttart Etobicoke Ontario December 9, 2017 (49-10)	Maurice Claerhout (AD.)	Stewart McKelvey 65 Grafton St. Charlottetown, PE
MARTELL, Helen Madeline Montague Kings Co., PE December 9, 2017 (49-10)	Verna Catherine MacMillan (AD.)	McLellan Brennan 37 Central St. Summerside, PE

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Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
BELLAMY, Carol Ann Stratford Queens Co., PE December 2, 2017 (48-09)	Kirk Eugene Bellamy (EX.) Valerie Elizabeth Bellamy (EX.)	Campbell Lea 65 Water St. Charlottetown, PE
BREHAUT, Henry Boyd Charlottetown Queens Co., PE December 2, 2017 (48-09)	Eldon Brehaut (EX.) Marjorie Currie (EX.)	Phillip Mullally Law Office 51 University Ave. Charlottetown, PE
BOLGER, Francis William Pius Charlottetown Queens Co., PE December 2, 2017 (48-09)	Ronald Bolger (EX.) Catherine Dillon (EX.)	Cox & Palmer 97 Queen St. Charlottetown, PE
CAMPBELL, Pauline Ann Charlottetown Queens Co., PE December 2, 2017 (48-09)	Karen Campbell (EX.)	Cox & Palmer 97 Queen St. Charlottetown, PE
HOPKINSON, Erida Charlottetown Queens Co., PE December 2, 2017 (48-09)	Susan Hopkinson (EX.)	Susan Hopkinson 101-300 North River Rd. Charlottetown, PE
MacDONALD, Pius Daniel Charlottetown Queens Co., PE December 2, 2017 (48-09)	Leslie (Les) H. Morse (EX.)	Carr, Stevenson & MacKay 65 Queen St. Charlottetown, PE
PYE, Hughie Benjamin Enmore Prince Co., PE December 2, 2017 (48-09)	Minor Campbell (EX.)	Key Murray Law 446 Main St. O'Leary, PE
TUPLIN, Larry Edgar West Devon Prince Co., PE December 2, 2017 (48-09)	Josephine Anne Tuplin (EX.)	Key Murray Law 446 Main St. O'Leary, PE

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PERRY, Jamie Joseph Summerside Prince Co., PE December 2, 2017 (48-09)	Brian Perry (AD.)	Cox & Palmer 250 Water St., Suite 401 Summerside, PE
STANDING, Elizabeth Florence Charlottetown Queens Co., PE December 2, 2017 (48-09)	Teresa J. Smith (AD.)	Philip Mullally Law Office 51 University Ave. Charlottetown, PE
WILLIS, Horace Barrie Cornwall Queens Co., PE December 2, 2017 (48-09)	Matthew Barrie Willis (AD.)	HBC Law Corporation 25 Queen St. Charlottetown, PE
ARSENAULT, Edward Joseph Tignish Prince Co., PE November 25, 2017 (47-08)	Beatrice Mary Arsenault (EX.)	Carla L. Kelly Law Office 100-102 School St. Tignish, PE
DIXON, Inez Katherine Souris Kings Co., PE November 25, 2017 (47-08)	Sheila McInnis (EX.)	Allen J. MacPhee Law Corp. 106 Main St. Souris, PE
GASS, Shelley D. Cornwall Queens Co., PE November 25, 2017 (47-08)	Ronald Gass (EX.) Dianne Gass (EX.)	Campbell Stewart 137 Queen St. Charlottetown, PE
HILTZ, Margery Jane (also known as Margery J. Hiltz and Margery Hiltz) Swarthmore Borough Pennsylvania, USA November 25, 2017 (47-08)	Deborah Jane Hiltz (EX.)	Key Murray Law 494 Granville St. Summerside, PE
KELLY, Bertha Marie Kelly's Cross Queens Co., PE November 25, 2017 (47-08)	Robert Kelly (EX.) Marlene Clark (EX.)	Carr, Stevenson & MacKay 65 Queen St. Charlottetown, PE

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LECKY, Kathy Ann Charlottetown Queens Co., PE November 25, 2017 (47-08)	George Philip Lecky (EX.)	Carr, Stevenson & MacKay 65 Queen St. Charlottetown, PE
MacISAAC, Norma Margaret Howlan Prince Co., PE November 25, 2017 (47-08)	Alma Rix (EX.) Elizabeth "Betty" Boyles (EX.)	Key Murray Law 494 Granville St. Summerside, PE
MERSEREAU, Theonilde (Nell) Doris Marie Charlottetown Queens Co., PE November 25, 2017 (47-08)	Teresa Francine Mersereau (EX.) Mary Madeline Mersereau (EX.)	Carr, Stevenson & MacKay 65 Queen St. Charlottetown, PE
GALLANT, Urban Christopher Charlottetown Queens Co., PE November 25, 2017 (47-08)	Dr. F. Edwin Pineau (AD.) Lane Pineau (AD.)	Stewart McKelvey 65 Grafton St. Charlottetown, PE
KATZ, Robert Ira Gainsville, FL USA November 25, 2017 (47-08)	Ahmon Katz (AD.)	Cox & Palmer 4A Riverside Dr. Montague, PE
DEVITT, Diane Elizabeth Stratford Queens Co., PE November 18, 2017 (46-07)	Martin Lawrence Devitt (EX.) Hart Gregory Devitt (EX.)	Stewart McKelvey 65 Grafton St. Charlottetown, PE
GALLANT, Ellen Bridget Theresa (also known as Ellen Gallant) Summerside Prince Co., PE November 18, 2017 (46-07)	Darlene McEwen (EX.) Ronald Gallant (EX.) Edmond Joseph Gallant (EX.)	Key Murray Law 494 Granville St. Summerside, PE
HUTCHINSON, Grace Isabelle Summerside Prince Co., PE November 18, 2017 (46-07)	Elmer Roy Hutchinson (EX.)	Key Murray Law 446 Main St. O'Leary, PE

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MacKEY, Doreen Charlottetown Queens Co., PE November 18, 2017 (46-07)	Jenny Elizabeth MacKey (EX.)	Stewart McKelvey 65 Grafton St. Charlottetown, PE
McCARDLE, Leonard Frederick Chelton Prince Co., PE November 18, 2017 (46-07)	Paul David Coughlan (EX.)	Key Murray Law 494 Granville St. Summerside, PE
MURPHY, Brian Joseph Milton Station Queens Co., PE November 18, 2017 (46-07)	Joseph Murphy (EX.) Elaine (M.) Trainor (EX.)	McInnes Cooper 141 Kent St. Charlottetown, PE
PAYNTER, Bessie Mae Borden-Carleton Prince Co., PE November 18, 2017 (46-07)	Walter Earl Paynter (EX.) James Alan Paynter (EX.)	McLellan Brennan 37 Central St. Summerside, PE
TINNEY, William Donald Charlottetown Queens Co., PE November 18, 2017 (46-07)	William S. Tinney (EX.) Roger F. Tinney (EX.)	Stewart McKelvey 65 Grafton St. Charlottetown, PE
GALLANT, Paul Douglas Summerside Prince Co., PE November 18, 2017 (46-07)	Peter Gerard Gallant (AD.) David Michael Gallant (AD.)	McLellan Brennan 37 Central St. Summerside, PE
PERRY, Gordon David Summerside Prince Co., PE November 18, 2017 (46-07)	Joyce Perry (AD.)	Key Murray Law 494 Granville St. Summerside, PE
WHITE, Darrell Manuel Charlottetown Queens Co., PE November 18, 2017 (46-07)	Tiffany White (AD.)	Cox & Palmer 4A Riverside Dr. Montague, PE

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AQUINO, Lilia, Dr. Sydney Cape Breton, NS November 11, 2017 (45-06)	MD Private Trust Company (EX.)	Landry, McGillivray 33 Ochterloney St. Dartmouth, NS
ARSENAULT, Edna Marie (also known as Edna Arsenault) Wellington Prince Co., PE November 11, 2017 (45-06)	Bernice Anne-Marie Arsenault (EX.)	Key Murray Law 494 Granville St. Summerside, PE
ARSENAULT, John Paul Nail Pond Prince Co., PE November 11, 2017 (45-06)	Joseph Provenzano (EX.)	Carla L. Kelly Law Office 102-100 School St. Tignish, PE
BISCHLER, Henry F. Hope River Queens Co., PE November 11, 2017 (45-06)	Silvia Henrene Frances DesRoches (EX.)	Key Murray Law 494 Granville St. Summerside, PE
GALLANT, George Vernon Kingston, ON November 11, 2017 (45-06)	Marie Cecile Rejeanne Pelletier-Gallant (EX.) Jenny Grace Donovan (EX.) France Georgette Hutchinson (EX.)	Key Murray Law 494 Granville St. Summerside, PE
KASSNER, Lois Irene Charlottetown Queens Co., PE November 11, 2017 (45-06)	David Leon Kassner (EX.) Rachel Anne Kassner (EX.) Richard Menas Kassner (EX.)	Carr, Stevenson & McKay 65 Queen St. Charlottetown, PE
NUNN-WEIR, Donna Marie New Annan Prince Co., PE November 11, 2017 (45-06)	Robert Christopher Weir (EX.)	Ramsay Law 303 Water St. Summerside, PE
OCHSNER, Hedy Theresia Greenvale Queens Co., PE November 11, 2017 (45-06)	Magnus Joseph Ochsner (EX.)	MacNutt & Dumont 57 Water St. Charlottetown, PE

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PANTON, Neil William Belfast Queens Co., PE November 11, 2017 (45-06)	Janice Panton (EX.) Norman Panton (EX.) Deborah "Debbie" Panton (EX.)	T. Daniel Tweel Law Office 105 Kent St. Charlottetown, PE
ROCHON, Caitlin Nora Stratford Queens Co., PE November 11, 2017 (45-06)	Danielle Rochon (EX.)	Stewart McKelvey 65 Grafton St. Charlottetown, PE
ROPER, Hazel Ann (also known as Hazel A. Roper) Berwick, Maine November 11, 2017 (45-06)	Elisa M. S. Ouellette (EX.)	Key Murray Law 494 Granville St. Summerside, PE
THOMPSON, Ralph Crosby Wilmot Valley Prince Co., PE November 11, 2017 (45-06)	Edith Karen Thompson (EX.)	Key Murray Law 494 Granville St. Summerside, PE
GILLIS, Roberta Francis Vivian Charlottetown Queens Co., PE November 11, 2017 (45-06)	Norma R. Costain (AD.)	Carla L. Kelly Law Office 102-100 School St. Tignish, PE
HOWARTH, Murray Alvin William Priest Pond Kings Co., PE November 11, 2017 (45-06)	Mark Gallant, Public Trustee and Public and Official Guardian (AD.)	Stewart McKelvey 65 Grafton St. Charlottetown, PE
CAMPBELL, Geraldine (aka Geraldine Annie Campbell) Summerside Prince Co., PE October 28, 2017 (43-04)	Sueanne Campbell (EX.)	Cox & Palmer 250 Water St. Summerside, PE
CROSSMAN, Merilla Florence Central Bedeque Prince Co., PE October 28, 2017 (43-04)	Pamela Joy Murphy (formerly Joy Ohlandt) (EX.), Elaine Ann Wood, (formerly Elaine Crossman) (EX.), Michael Wayne Crossman (EX.)	Key Murray Law 494 Granville St. Summerside, PE

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ELLIS, Ferne Marie Summerside Prince Co., PE October 28, 2017 (43-04)	Tyler Maurice Wright (EX.)	Tyler Maurice Wright 6483 Route 225 Middleton, PE
GALLANT, Daniel Alexis Rollo Bay Kings Co., PE October 28, 2017 (43-04)	Veronica (Vera) Gallant (EX.)	Allen J. MacPhee Law Corp. 106 Main St. Souris, PE
McELROY, Elizabeth M. New Vernon Morris, New Jersey, USA October 28, 2017 (43-04)	Elizabeth Margaret McElroy (EX.)	Key Murray Law 119 Queen St. Charlottetown, PE
NOLAN, John E. Howell Michigan, USA October 28, 2017 (43-04)	Mary A. Nolan (EX.)	Cox & Palmer 97 Queen St. Charlottetown, PE
BEATON, Raymond Bruce Morell Kings Co., PE October 28, 2017 (43-04)	Wayne Edward Beaton (AD.)	Carr, Stevenson & MacKay 65 Queen St. Charlottetown, PE
MYERS, Regena (Chena) Lee Mt. Stewart Queens Co., PE October 28, 2017 (43-04)	E. Kenneth Blair Myers (AD.) Shelby Loretta Myers (AD.)	Carr, Stevenson & MacKay 65 Queen St. Charlottetown, PE
DRAKE, Mary N. Belfast Queens Co., PE October 21, 2017 (42-03)	Larry W. Drake (EX.) Leslie R. Drake (EX.) Paul D. Drake (EX.)	Carr, Stevenson & MacKay 65 Queen St. Charlottetown, PE
DRAKE, Donald William Belfast Queens Co., PE October 21, 2017 (42-03)	Larry W. Drake (EX.) Leslie R. Drake (EX.) Paul D. Drake (EX.)	Carr, Stevenson & MacKay 65 Queen St. Charlottetown, PE

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GRANT, Charles Vincent Charlottetown Queens Co., PE October 21, 2017 (42-03)	Jeannene Ferguson (EX.)	Catherine M. Parkman Law 82 Fitzroy St. Charlottetown, PE
HOLLAND, Lloyd Douglas Charlottetown Queens Co., PE October 21, 2017 (42-03)	Lynda Carolyn Monck (EX.) Janice Alrene Kerr (EX.)	Campbell Lea 65 Water St. Charlottetown, PE
KING, William Ananias Louisbourg Nova Scotia October 21, 2017 (42-03)	Carolyn B. Roper (EX.) Edith C. King (EX.) Irma J. Murray (EX.)	Key Murray Law 494 Granville St. Summerside, PE
MacKINNON, Alice Eileen Charlottetown Queens Co., PE October 21, 2017 (42-03)	Joseph Gordon MacKinnon (EX.)	Key Murray Law 119 Queen St. Charlottetown, PE
MacLEAN, Barbara Jean (also known as Barbara MacLean) Glenwood Prince Co., PE October 21, 2017 (42-03)	Lorne MacLean (EX.) Phillip MacLean (EX.)	Cox & Palmer 250 Water St. Summerside, PE
MILLER, Douglas W. (also known as Douglas Wayne Miller) Miscouche Prince Co., PE October 21, 2017 (42-03)	Debra Miller (EX.) William Miller (EX.)	Cox & Palmer 250 Water St. Summerside, PE
SHANKLE, Ruth Fraser Charlottetown Queens Co., PE October 21, 2017 (42-03)	David Anthony Robinson (EX.)	MacNutt & Dumont 57 Water St. Charlottetown, PE
THOMPSON, Joy Ross Stittsville Ontario October 21, 2017 (42-03)	Mary Jeanne Estey (EX.) William Joseph Thompson (EX.)	Cox & Palmer 347 Church St. Alberton, PE

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WALSH, Gladys Dorothy (also known as Gladys Walsh) Summerside Prince Co., PE October 21, 2017 (42-03)	Ronald MacInnis (EX.)	Cox & Palmer 250 Water St. Summerside, PE
GARBUS, David Briar Caledonia Kings Co., PE October 21, 2017 (42-03)	Elva Ann Garbus (AD.)	Cox & Palmer 97 Queen Street Charlottetown, PE
MATTHEWS, Ethel Elmsdale Prince Co., PE October 21, 2017 (42-03)	Ferne Bell Gordon (AD.)	Cox & Palmer 347 Church St. Albion, PE
MELLICK, Helen Lois Charlottetown Queens Co., PE October 21, 2017 (42-03)	Patsy Ann MacAusland (AD.)	Cox & Palmer 250 Water Street Summerside, PE
MONAGHAN, David James Charlottetown Queens Co., PE October 21, 2017 (42-03)	Maxine Henry (AD.)	Campbell Lea 65 Water Street Charlottetown, PE
BLYTH, Karen E. Toronto, ON October 14, 2017 (41-02)	Stephen Butler (EX.) Ann-Marie Gould (EX.)	Birt & McNeill 138 St. Peters Road Charlottetown, PE
BOSWALL, Mary Alberta Charlottetown Queens Co., PE October 14, 2017 (41-02)	Anne Louise Boswall (EX.)	Stewart McKelvey 65 Grafton St. Charlottetown, PE
BURDETT, Marguerite Vera Charlottetown Queens Co., PE October 14, 2017 (41-02)	Edison Kent Burdett (EX.) Blaine Ira Burdett (EX.)	Cox & Palmer 97 Queen St. Charlottetown, PE

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COFFIN, Rita Irene Bedford, NS October 14, 2017 (41-02)	Patrick McCarthy (EX.)	Carr, Stevenson & MacKay 65 Queen St. Charlottetown, PE
KEDDY, John David (also known as John David "Jack" Keddy Sr.) Kensington, Prince Co., PE October 14, 2017 (41-02)	Jaye Margaret Anne McQuillin (EX.)	Cox & Palmer 250 Water St. Summerside, PE
MOORE, Ernest Clifford Charlottetown Queens Co., PE October 14, 2017 (41-02)	Terry Hennessey (EX.) Melody Van Omme (EX.)	Catherine M. Parkman Law Office 82 Fitzroy St. Charlottetown, PE
OSBORNE, Buddy John Eldon Queens Co., PE (formerly of Murray Harbour, Kings Co., PE) October 14, 2017 (41-02)	Charles Osborne (EX.)	Cox & Palmer 44 Riverside Dr. Montague, PE
PINKHAM, Robert (also known as Robert Preston Pinkham) Summerside Prince Co., PE October 14, 2017 (41-02)	Charles MacPherson (EX.)	Cox & Palmer 250 Water St. Summerside, PE
RICHARD, Josephat Summerside Prince Co., PE October 14, 2017 (41-02)	Donat Arsenault (EX.) Zenon Arsenault (EX.)	Key Murray Law 494 Granville St. Summerside, PE
ROUSSEAU, Bonita Jean Summerside Prince Co., PE October 14, 2017 (41-02)	Nancy Keough Baglole (EX.)	Cox & Palmer 250 Water St. Summerside, PE
SAMPSON, Marina Bernice Charlottetown Queens Co., PE October 14, 2017 (41-02)	Wanda Pauline Dalton (EX.)	Cox & Palmer 97 Queen St., Charlottetown, PE

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SCHURMAN, George Rankin Texas, United States of America October 14, 2017 (41-02)	George Rankin Schurman II (EX.) Lisa Schurman Mendes (EX.)	Ramsay Law 303 Water St. Summerside, PE
SHAW, Boyd Walter New Perth Kings Co., PE October 14, 2017 (41-02)	Gloria Lynn Shaw (EX.)	Cox & Palmer 44 Riverside Dr. Montague, PE
DUFFY, Bernice Mary Charlottetown Queens Co., PE October 14, 2017 (41-02)	Paul Joseph Duffy (AD.)	Stewart McKelvey 65 Grafton St. Charlottetown, PE
GOTELL, Pauline Bernadette Charlottetown Queens Co., PE October 14, 2017 (41-02)	Gerald Marcellus Gotell (AD.)	Key Murray Law 119 Queen St. Charlottetown, PE
MacMILLAN, Mary Louise Saugus, Massachusetts United States of America October 14, 2017 (41-02)	Cynthia M. Bloom (AD.)	Key Murray Law 494 Granville St. Summerside, PE
MITCHELL, John George Charlottetown Queens Co., PE October 14, 2017 (41-02)	Mary R. Affleck (AD.)	Campbell Stewart 137 Queen St. Charlottetown, PE
GAUDET, Mary Una Summerside, PE Prince Co., PE September 30, 2017 (39-52)	Franklin (Frank) Ernest Gaudet (EX.) Donald Michael Gaudet (EX.)	Ramsay Law 303 Water St. Summerside, PE
GILLIS, Lorraine Isabel Charlottetown Queens Co., PE September 30, 2017 (39-52)	Theresa Mallard (EX.)	E. W. Scott Dickieson, QC 10 Pownal St. Charlottetown, PE

CANADA
PROVINCE OF PRINCE EDWARD ISLAND
IN THE SUPREME COURT - ESTATES DIVISION

TAKE NOTICE that all persons indebted to the following estates must make payment to the personal representative of the estates noted below, and that all persons having any demands upon the following estates must present such demands to the representative within six months of the date of the advertisement:

Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
JAMES, Herman Bennett Church Road Kings Co., PE September 30, 2017 (39-52)	M. Lisa MacIntyre (EX.)	Carr, Stevenson & MacKay 65 Queen St. Charlottetown, PE
JAY, Alton Leroy (also known as Alton L. Jay) Charlottetown Queens Co., PE September 30, 2017 (39-52)	Alton Leith Jay (EX.)	PLM Law 43 Water St. Charlottetown, PE
JOHNSTON, Joan Marie Stratford Queens Co., PE September 30, 2017 (39-52)	Robert Preston Johnston (EX.)	Cox & Palmer 250 Water St. Summerside, PE
MacDONALD, Frederick Alexander Clinton Prince Co., PE September 30, 2017 (39-52)	John MacDonald (EX.) Janet Deighan (EX.)	Cox & Palmer 250 Water St. Summerside, PE
MacLEAN, Phyllis M. Charlottetown Queens Co., PE September 30, 2017 (39-52)	Paul Barber (EX.) Heather Goodwin (EX.)	Campbell Stewart 137 Queen St., Suite 302 Charlottetown, PE
SMITH, Blair Edward Fairview Queens Co., PE September 30, 2017 (39-52)	John R. Stokes (EX.)	T. Daniel Tweel 105 Kent St. Charlottetown, PE
LeCLAIR, Henry Felix Miscouche Prince Co., PE September 30, 2017 (39-52)	Laurie Ginette LeClair (AD.) Crystal Michelle Gardiner (AD.)	Cox & Palmer 250 Water St. Summerside, PE
DEAGLE, Bennett Joseph (also known as Benny Joseph Deagle) Miminegash Prince Co., PE September 23, 2017 (38-51)	Mary Catherine Deagle (EX.)	Cox & Palmer 347 Church St. Alberton, PE

CANADA
PROVINCE OF PRINCE EDWARD ISLAND
IN THE SUPREME COURT - ESTATES DIVISION

TAKE NOTICE that all persons indebted to the following estates must make payment to the personal representative of the estates noted below, and that all persons having any demands upon the following estates must present such demands to the representative within six months of the date of the advertisement:

Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
DOIRON, Marjorie L. Crapaud Queens Co., PE September 23, 2017 (38-51)	R. Francis Doiron (EX.) Rose Marie Dorion-Foster (EX.)	E. W. Scott Dickieson Law Office 10 Pownal St. Charlottetown, PE
GALLANT, Louis Joseph Espanola, ON September 23, 2017 (38-51)	Josephine Genevieve Gallant (EX.)	Ramsay Law 303 Water St. Summerside, PE
GALLANT, Urban Joseph Nail Pond Prince Co., PE September 23, 2017 (38-51)	Joyce Mary Gallant (EX.)	Cox & Palmer 347 Church St. Alberton, PE
LADNER, J. Mark Charlottetown Queens Co., PE September 23, 2017 (38-51)	Gloria N. Ladner (EX.) Kevin Ladner (EX.)	Campbell Stewart 137 Queen St. Charlottetown, PE
MacDONALD, George Bernard Charlottetown Queens Co., PE September 23, 2017 (38-51)	Shawn Earl MacDonald (EX.) Michael Raymond MacDonald (EX.) Jude MacDonald, formerly known as Judith Evelyn MacDonald (EX.)	MacNutt & Dumont 57 Water St. Charlottetown, PE
MacKINNON, John C. (also known as John Calvin MacKinnon) Point Prim Queens Co. PE September 23, 2017 (38-51)	Neil M. MacKinnon (EX.)	MacNutt & Dumont 57 Water St. Charlottetown, PE
McCARVILLE, Debra Lynn Charlottetown Queens Co., PE September 23, 2017 (38-51)	Gordon James Arthur McCarville (EX.)	Key Murray Law 494 Granville St. Summerside, PE

The following orders were approved by Her Honour the Lieutenant Governor in Council dated December 12, 2017.

EC2017-745

**MUNICIPALITIES ACT
COMMUNITY OF MOUNT STEWART
AND
APPOINTMENT OF
SPECIAL COMMISSIONER**

Under authority of section 10 of the *Municipalities Act*, R.S.P.E.I. 1988, Cap. M-13, Council dismissed the council of the Community of Mount Stewart and appointed Roy Main of Charlottetown as a special commissioner to carry on the administration of the municipality and arrange for the election of a new council.

This Order is effective 12 December 2017.

EC2017-746

**MUNICIPALITIES ACT
COMMUNITY OF BRACKLEY
AND
COMMUNITY OF WINSLOE SOUTH
AMALGAMATION**

Having under consideration a recommendation from the Minister of Communities, Land and Environment and pursuant to section 9 of the *Municipalities Act*, R.S.P.E.I. 1988, Cap. M-13, Council ordered:

- (1) that the Communities of Brackley and Winsloe South amalgamate to form one municipality;
- (2) that the new municipality have the status of a community;
- (3) that the new municipality be named the Community of Brackley;
- (4) that the municipal boundaries of the Community of Brackley be the existing perimeter boundaries (excluding the common boundary), of the Community of Brackley and the Community of Winsloe South, as indicated on plan number 40243, the said plans being on file in the Registry Office for Queens County;
- (5) that an interim council be appointed to carry out municipal operations until a new council takes office, comprised of:

Interim Chair:

Interim Council Members:

Chris Beer

Ron Collett

Kent Dollar

Don Jardine

Joey MacLaren

Brendon McKenna

Roddy (Dhuey) Pratt

- (6) that a new council for the Community of Brackley will take office following the next regular municipal election in November 2018; and
- (7) that the disposition of assets and liabilities be the responsibility of the interim Council to carry out in accordance with provisions of the *Municipalities Act*, R.S.P.E.I. 1988, Cap. M-13, the *Planning Act*, R.S.P.E.I. 1988, Cap. P-8 and any other applicable legislation;

This Order-in-Council comes into force on 15 December 2017.

EC2017-752

**POLICE ACT
POLICE COMMISSIONER
APPOINTMENT**

Pursuant to subsections 16(1) and 16(3) of the *Police Act* R.S.P.E.I. 1988, Cap. P-11.1, Council reappointed Honourable Gerard E. Mitchell of Charlottetown as Police Commissioner for the term of November 7, 2017 to March 31, 2018.

EC2017-753

**POLICE ACT
DEPUTY POLICE COMMISSIONER
APPOINTMENT**

Pursuant to subsections 16(2) and 16(3) of the *Police Act*, R.S.P.E.I. 1988, Cap. P-11.1, Council reappointed Roy J. Ridlington of Summerside as Deputy Police Commissioner for the term of November 7, 2017 to March 31, 2018.

Signed,

Paul T. Ledwell
Clerk of the Executive Council
and Secretary to Cabinet

PROCLAMATIONS

CANADA
PRINCE EDWARD ISLAND

(Great Seal)

ELIZABETH THE SECOND by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories, QUEEN, Head of the Commonwealth, Defender of the Faith. To Our trusty and well beloved Clerk of the Legislative Assembly, Charles H. MacKay, and to the Clerk Assistant of the Legislative Assembly

HON. ANTOINETTE PERRY
Lieutenant Governor

GREETING

WHEREAS, by Writ of By-election for Electoral District No. 11 we have commanded our Returning Officer to assemble the several inhabitants, electors of the said Electoral District No. 11 and thereunto to cause them to choose and elect a fit and proper person to serve us in our said Legislative Assembly at Charlottetown in our said Province,

AND WHEREAS our Returning Officer as commanded, held the said election, that is to say, Nomination on the 10th day of November A.D. 2017 and Polling on the 27th day of November A.D. 2017 and returned to our Chief Electoral Officer for our said Province the name of a Member, Hannah Bell, duly elected as a fit and proper person to serve us in our said Legislative Assembly,

THESE ARE THEREFORE to command you or anyone of you that you do forthwith proceed to the Legislative Chamber on the 13th day of December, A.D. 2017 at 11:30 o'clock in the morning, and there administer to the said Hannah Bell, the Oath of Allegiance appointed by the *Constitution Act, 1867*, to be by her taken and subscribed, and when you shall have so administered the said Oath and the said Member shall have subscribed her name thereto, you shall send the same on to our said Clerk of the Executive Council certifying under your hands and seals what you have done in the premises together with this Commission.

WITNESS Our trusty and well beloved Lieutenant Governor in Council in and over Our said Province of Prince Edward Island, the Honourable Antoinette Perry, at Charlottetown in Our said Province this thirteenth day of December in the year of Our Lord two thousand and seventeen and in the sixty-sixth year of Our Reign.

By Command,

PAUL T. LEDWELL
Clerk of the Executive Council
and Secretary to Cabinet

CANADA
PROVINCE OF PRINCE EDWARD ISLAND

(Great Seal)
ELIZABETH THE SECOND, by the
Grace of God of the United Kingdom,
Canada and Her other Realms and
Territories, QUEEN, Head of the
Commonwealth, Defender of the Faith.

HON. ANTOINETTE PERRY
Lieutenant Governor

TO ALL TO WHOM these presents shall come or whom the same may in any wise concern:

GREETING
A PROCLAMATION

WHEREAS in and by section 288 of Chapter 44 of the Acts passed by the Legislature of Prince Edward Island in the Second Session thereof held in the year 2016 and in the sixty-fifth year of Our Reign intituled “Municipal Government Act” it is enacted as follows:

“This Act comes into force on a date that may be fixed by proclamation of the Lieutenant Governor in Council.”,

AND WHEREAS it is deemed expedient that the said Act, Stats. P.E.I. 2016, c. 44 should come into force on the 23rd day of December, 2017,

NOW KNOW YE that We, by and with the advice and consent of our Executive Council for Prince Edward Island, do by this Our Proclamation ORDER AND DECLARE that the said Act being the “Municipal Government Act” passed in the sixty-fifth year of Our Reign shall come into force on the twenty-third day of December, two thousand and seventeen of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these Our Letters to be made Patent and the Great Seal of Prince Edward Island to be hereunto affixed.

WITNESS the Honourable Antoinette Perry, Lieutenant Governor of the Province of Prince Edward Island, at Charlottetown this twelfth day of December in the year of Our Lord two thousand and seventeen and in the sixty-sixth year of Our Reign.

By Command,

PAUL T. LEDWELL
Clerk of the Executive Council
and Secretary to Cabinet

CFPEI 17-01
CHICKEN FARMERS OF PRINCE EDWARD ISLAND

BOARD ORDER: CFPEI 17-01
EFFECTIVE: January 21, 2018

Under the *Natural Products Marketing Act*, R.S.P.E.I., 1988, Cap. N-3, the Chicken Farmers of Prince Edward Island Marketing Regulations and the Prince Edward Island Chicken Order made pursuant to the *Agricultural Products Marketing Act* (Canada), the Chicken Farmers of Prince Edward Island makes the following order:

LEVY ORDER AMENDMENT

1. This order amends Levy Order CFPEI16-01.
2. Section 4 of Board Order CFPEI16-01 is hereby deleted and the following substituted therefore;
 4. The Board hereby imposes a levy on each producer of \$0.0173 per kilogram of live weight of chicken marketed by the producer, plus applicable taxes, of which \$0.0053 per kilogram shall be remitted to CFC by the Board and the remaining \$0.0120 per kilogram shall be retained for administration of the Board.
3. This order shall come into force on January 21, 2018.

Dated at Charlottetown, Prince Edward Island this 15th day of December 2017.

Kevin MacPhail, Chair
Dean Good, Secretary-Treasurer

PB17- 5
PRINCE EDWARD ISLAND POTATO BOARD

Board Order: PB17- 5
Effective: November 7, 2017

UNDER the *Natural Products Marketing Act*, R.S.P.E.I. 1988, Cap. N-3, the Prince Edward Island Potato Marketing Plan Regulations, and the *Agricultural Products Marketing Act* (Canada), the Prince Edward Island Potato Board makes the following order:

PACKAGING ORDER - AMENDMENT

- Application 1. This order applies to the packaging of Canada No. 2 potatoes.
2. Board Order PB91-2 is hereby amended by adding the following as sub-section 3(7):
- 3(7) (a) Subsections 3(1) and 3(2) shall be suspended and have no force or effect for so long as this subsection (7) is in effect.
- (b) No person shall market Canada No. 2 Potatoes (as graded in accordance with the *Canada Agricultural Products Act*, Stats. Can. 1988, Cap. 27) produced in Prince Edward Island unless the packages containing such potatoes have the grade of such potatoes printed on the front and two sides of the package in such a fashion as to be incapable of removal or alternation.
- (c) This subsection (7) shall expire and be of no further force or effect on the 31st day of August, 2018.
- Commencement 3. This order comes into force on the 7th day of November, 2017.

DATED at Charlottetown, Prince Edward Island, this 7th day of November, 2017.

RODNEY DINGWELL, Chairman
JASON HAYDEN, Secretary

**NOTICE OF CHANGE
OF CORPORATE NAME**

Companies Act

R.S.P.E.I. 1988, Cap. C-14, S. 81.1

Public Notice is hereby given that under the *Companies Act* the following corporation has changed its corporate name:

Former Name ROYAL MALPEQUE
OYSTERS LIMITED
New Name 102155 P.E.I. INC.
Effective Date: December 13, 2017
51

NOTICE OF DISSOLUTION

Partnership Act

R.S.P.E.I. 1988, Cap. P-1

Public Notice is hereby given that a Notice of Dissolution has been filed under the *Partnership Act* for each of the following:

Name: VITALITÉ PHILIPS
Owner: PHILIPS ELECTRONICS LTD.
PHILIPS ELECTRONIQUE LTEE
Registration Date: December 07, 2017

Name: LES MAISONS DE BOUTEILLES/
THE BOTTLE HOUSES
Owner: LES ENTREPRISES R. M. G. LTEE
Registration Date: December 07, 2017

Name: EMILY'S CLOSET BOUTIQUE
Owner: Melanie Louise Press
Registration Date: December 13, 2017

Name: INLAND SAND
Owner: Jack Sark
Registration Date: December 04, 2017

Name: ISLAND SPRINGS WATER
COMPANY
Owner: Sean MacBeth
Registration Date: December 08, 2017
51

**NOTICE OF GRANTING
LETTERS PATENT**

Companies Act

R.S.P.E.I. 1988, Cap. C-14, s.11,

Public Notice is hereby given that under the *Companies Act* Letters Patent have been issued by the Minister to the following:

Name: 102162 P.E.I. INC.
78 Stratford Road
Stratford, PE C1B 1Y5
Incorporation Date: December 13, 2017

Name: 102163 P.E.I. INC.
33 Alley Street
Charlottetown, PE C1A 2G8
Incorporation Date: December 13, 2017

Name: 102164 P.E.I. INC.
476 Queen Street, Apt., #1
Charlottetown, PE C1A 4G7
Incorporation Date: December 13, 2017

Name: EMILY'S CLOSET INC.
4645, Route 19
PO Box 166
Cornwall, PE C0A 1H0
Incorporation Date: December 13, 2017

Name: GOING FOR BROKE HOLDINGS
INC.
13942, Rte. 14, Skinner's Pond RR#2
Tignish, PE C0B 2B0
Incorporation Date: December 11, 2017

Name: HAPPY TRAVEL AND MARKETING
SERVICE INC.
100 Trans-Canada Highway
Cornwall, PE C0A 1H0
Incorporation Date: December 14, 2017

Name: ISLAND CHOICE OYSTER INC.
397 Blooming Point Road
Tracadie Cross, PE C0A 1T0
Incorporation Date: November 30, 2017

Name: KERRY HOLDINGS INC.
7 Skipper Drive
PO Box 243
Cornwall, PE C0A 1H0
Incorporation Date: December 13, 2017

Name: MT CUSTOM FABRICATIONS LTD.
15551 Route 14
Christopher Cross, PE C0B 2B0
Incorporation Date: December 12, 2017

Name: TRI COUNTY HOLDINGS INC.
65 Grafton Street
Charlottetown, PE C1A 8B9
Incorporation Date: December 11, 2017

Name: WGL LAW INC.
400-65 Water Street
Charlottetown, PE C1A 1A3
Incorporation Date: December 14, 2017

Name: ZVER CONSULTING SERVICES INC.
220 Birkallum Drive
Mermaid, PE C1B 0T6
Incorporation Date: December 14, 2017
51

**NOTICE OF GRANTING
SUPPLEMENTARY LETTERS PATENT**

Companies Act
R.S.P.E.I. 1988, Cap. C-14, s.18, s.3

Public Notice is hereby given that under the *Companies Act* supplementary letters patent have been issued by the Minister to the following:

Name: 100579 P.E.I. INC.
Purpose To increase the authorized capital of the company.
Effective Date: December 07, 2017

Name: DIGGER INVESTMENTS LTD.
Purpose To amend and increase the authorized capital of the company.
Effective Date: December 13, 2017

Name: G & P TRUCKING & CONSTRUCTION LTD.
Purpose To increase the authorized capital.
Effective Date: December 13, 2017

Name: MORLEY ANNEAR LTD.
Purpose To increase and vary the authorized capital.
Effective Date: December 13, 2017
51

NOTICE OF REGISTRATION

Partnership Act
R.S.P.E.I. 1988, Cap. P-1, s.52 and s.54(1)

Public Notice is hereby given that the following Declarations have been filed under the *Partnership Act*:

Name: LES MAISONS DE BOUTEILLES/
THE BOTTLE HOUSES
Owner: CAP EGMONT HOLDINGS LTD.
6919, Route 11
RR #3 Wellington, PE C0B 2E0
Registration Date: December 07, 2017

Name: A COAT OF MANY COLORS
PAINTING
Owner: Dale McMurrer
22536, Route 1A
Albany, PE C0B 1A0
Registration Date: December 12, 2017

Name: AIMEE DOW COSMETICS
Owner: Aimee Dow
104 Madison Avenue
Cornwall, PE C0A 1H5
Registration Date: December 12, 2017

Name: BREEZY ISLE LODGE
Owner: Inoka Barclay
2176 Union Road, Rte., 221
York, PE C0A 1P0
Registration Date: November 17, 2017

Name: FAMILY TIDES COTTAGE RENTAL
Owner: Jason DeCoursey
23714 Trans Canada Highway
Borden, PE C0B 1X0
Owner: Rachel DeCoursey
23714 Trans Canada Highway
Borden, PE C0B 1X0
Registration Date: December 11, 2017

Name: INLAND SAND
Owner: Marilyn Emily Sark
147 Sweetgrass Trail
Lennox Island, PE C0B 1P0
Registration Date: December 04, 2017

Name: ISLAND BICYCLE SERVICES
 Owner: Joseph Downham
 3129, Route 225
 North Wiltshire, PE C0A 1Y0
 Registration Date: December 11, 2017

Name: ISLAND IDEAS SOFTWARE
 Owner: Kevin Brooks
 61 Duck's Landing, Apt #5
 Stratford, PE C1B 2X8
 Registration Date: December 11, 2017

Name: OFF THE HOOK DEEP SEA FISHING
 Owner: Richard Ross Gauthier
 214, Route 258
 New Glasgow, PE C0A 1N0
 Registration Date: December 12, 2017

Name: PLATINUM AUTO SALES
 Owner: Gregory MacIsaac
 13 Linwood Drive
 P.O. Box 833
 Kensington, PE C0B 1M0
 Registration Date: December 12, 2017

Name: R.E.M WELDING
 Owner: Jeremy Read
 821 Water Street
 Summerside, PE C1N 4J5
 Registration Date: December 12, 2017

Name: SOUTH SHORE SOAPS
 Owner: Stephen McGrath
 84 Old Tryon Road
 DeSable, PE C0A 1J0
 Owner: Molly McGrath
 84 Old Tryon Road
 DeSable, PE C0A 1J0
 Registration Date: December 07, 2017

Name: WAITE'S CONSTRUCTION
 Owner: Brandon Waite
 148 Pope Road, Apt. 4
 Summerside, PE C1N 4N9
 Registration Date: December 12, 2017

Name: WALLYS LANE COTTAGE RENTAL
 Owner: Nic Howatt
 155 Wallys Lane
 Borden, PE C0B 1X0
 Registration Date: December 01, 2017

Name: WAYNE WILSON CONSULTING
 Owner: Wayne Wilson
 3534 Hopedale Road
 Hunter River, PE C0A 1N0
 Registration Date: December 11, 2017

51

NOTICE

PUBLIC NOTICE is hereby given that under the provisions of the *Co-operative Associations Act*, a Certificate of Incorporation bearing the date the 30th day of November, 2017 has been granted to **ALBERTON FISHERIES CO-OPERATIVE LIMITED** with head office in Northport, Prince Edward Island.

DATED at Charlottetown this **30th** day of **November, 2017**.

51

NOTICE OF APPLICATION FOR LEAVE TO SURRENDER CHARTER

Potato Consulting Services Inc., a body corporate, duly incorporated under the laws of the Province of Prince Edward Island, hereby gives notice pursuant to the *Companies Act*, R.S.P.E.I. 1988, Cap. C-14, that it intends to make application to the Director of Consumer, Labour and Financial Services, Department of Justice and Public Safety for the Province of Prince Edward Island, for leave to surrender the Charter of the said Company.

DATED at Charlottetown, in Queens County, this 19th day of December, 2017

JOSHUA C. EGAN
 Carr, Stevenson & MacKay
 Barristers & Solicitors
 65 Queen Street, Box 522
 Charlottetown, PE C1A 7L1
 Solicitor for the Applicant

51

NOTICE
MARRIAGE ACT
Prince Edward Island
[Subsection 8(1) of the Act]

Notice is hereby published that, under the authority of the *Marriage Act*, the following clergy has been **registered** for the purpose of solemnizing marriages in the province of Prince Edward Island:

Stephen R. Vessey
110 Brudenell Point Road
Montague PE C0A 1R0

Adam Peters
Director of Vital Statistics

51

NOTICE
MARRIAGE ACT
Prince Edward Island
[Subsection 8(1) of the Act]

Notice is hereby published that, under the authority of the *Marriage Act*, registration for the purpose of solemnizing marriages in the province of Prince Edward Island for the following clergy has been **cancelled**:

Rev. Jason Hinsdale
3053 East Point Road
RR 2
Souris PE C0A 2B0

Adam Peters
Director of Vital Statistics

51

NOTICE
MARRIAGE ACT
Prince Edward Island
[Subsection 8(1) of the Act]

Notice is hereby published that, under the authority of the *Marriage Act*, registration for the purpose of solemnizing marriages in the province of Prince Edward Island for the following clergy has been **cancelled**:

Shane Russell Robert White
c/o Montague Church of Christ
513 Main Street
Montague PE C0A 1R0

Adam Peters
Director of Vital Statistics

51

INDEX TO NEW MATTER
VOL. CXLIII – NO. 51
December 23, 2017

APPOINTMENTS

Police Act

Deputy Police Commissioner
Ridlington, Roy J. 1351

Police Commissioner
Mitchell, Gerard E., Honourable 1351

BOARD ORDERS

Natural Products Marketing Act

Chicken Farmers of Prince Edward Island
Levy Order Amendment
CFPEI 17-01 1354

Prince Edward Island Potato Board
Packaging Order - Amendment
PB17-5 1355

COMPANIES ACT NOTICES

Application for Leave to Surrender Charter
Potato Consulting Services Inc. 1358

Change of Corporate Name
102155 P.E.I. Inc. 1356
Royal Malpeque Oysters Limited 1356

Granting Letters Patent

102162 P.E.I. Inc.	1356
102163 P.E.I. Inc.	1356
102164 P.E.I. Inc.	1356
Emily's Closet Inc.	1356
Going For Broke Holdings Inc.	1356
Happy Travel and Marketing Service Inc.	1356
Island Choice Oyster Inc.	1356
Kerry Holdings Inc.	1356
MT Custom Fabrications Ltd.	1357
Tri County Holdings Inc.	1357
WGL Law Inc.	1357
Zver Consulting Services Inc.	1357

Granting Supplementary Letters Patent

100579 P.E.I. Inc.	1357
Digger Investments Ltd.	1357
G & P Trucking & Construction Ltd.	1357
Morley Annear Ltd.	1357

ESTATES**Administrators' Notices**

DesRoche, Mary Linda Ann	1334
MacEachern, Marie A.	1334

Executors' Notices

Alport, Shirley Ann	1333
Holman, Helen Marion	1333
Johnston, William Ernest Robert	1333
Lewis, Ella	1333
MacDonald, Katherine Bernice	1333
Tassell, John Angus	1333
Tudor, E. S. Fiona	1334

MISCELLANEOUS**Co-operative Associations Act**

Certificate of Incorporation	
Alberton Fisheries Co-Operative Limited ...	1358

Marriage Act

Cancelled Registrations	
Hinsdale, Jason, Rev.	1359
White, Shane Russell Robert	1359

Registration

Vessey, Stephen R.	1359
-------------------------	------

ORDERS**Municipalities Act**

Brackley, Community of and	
Winsloe South, Community of	
Amalgamation	1350
Mount Stewart, Community of	
Dismissal of Council and Appointment	
of Special Commissioner	1350

PARTNERSHIP ACT NOTICES**Dissolutions**

Emily's Closet Boutique	1356
Inland Sand	1356
Island Springs Water Company	1356
Maisons de Bouteilles, Les/The Bottle	
Houses	1356
Vitalité Philips	1356

Registrations

A Coat of Many Colors Painting	1357
Aimee Dow Cosmetics	1357
Breezy Isle Lodge	1357
Family Tides Cottage Rental	1357
Inland Sand	1357
Island Bicycle Services	1358
Island Ideas Software	1358
Maisons De Bouteilles, Les/The Bottle	
Houses	1357
Off the Hook Deep Sea Fishing	1358
Platinum Auto Sales	1358
R.E.M Welding	1358
South Shore Soaps	1358
Waite's Construction	1358
Wallys Lane Cottage Rental	1358
Wayne Wilson Consulting	1358

PROCLAMATIONS**Constitution Act, 1867**

Oath of Allegiance	
Bell, Hannah	1352

Legislation Proclaimed

Municipal Government Act	1353
--------------------------------	------

The ROYAL GAZETTE is issued every Saturday from the office of Michael Fagan, Queen's Printer, PO Box 2000, Charlottetown, PEI C1A 7N8. All copy must be received by the Tuesday preceding the day of publication. The subscription rate is \$75.00 per annum, postpaid; single copies are \$2.00 each, postpaid or \$1.25 each, over the counter.

PART II
REGULATIONS

EC2017-743

**COMMUNITY CARE FACILITIES AND NURSING HOMES ACT
NURSING HOME REGULATIONS
AMENDMENT**

(Approved by Her Honour the Lieutenant Governor in Council dated December 12, 2017.)

Pursuant to section 13 of the *Community Care Facilities and Nursing Homes Act* R.S.P.E.I. 1988, Cap. C-13, Council made the following regulations:

1. Section 1 of the *Community Care Facilities and Nursing Homes Act* Nursing Home Regulations (EC10/88) is amended

(a) by the addition of the following after clause (a):

(a.1) “licensed practical nurse” means a person who is authorized by an enactment to practice as a licensed practical nurse; licensed practical nurse

(a.2) “nurse practitioner” means a person who is authorized by an enactment to practice as a nurse practitioner; nurse practitioner

(b) in clause (b), by the deletion of the words “registered under the Nurses Act R.S.P.E.I. 1988, Cap. N-4” and the substitution of the words “who is authorized by an enactment to practice as a registered nurse”.

2. Subsection 22(4) of the regulations is amended by the addition of the words “or licensed practical nurse” after the words “registered nurse”.

3. Section 23 of the regulations is amended

(a) by renumbering it as subsection 23(1); and

(b) by the addition of the following after subsection (1):

(2) Every resident has the right to be treated with courtesy and respect and in a way that fully recognizes the resident’s individuality and respects the resident’s dignity. Right of resident

4. Section 25 of the regulations is amended

(a) in clause (d), by the deletion of the words “or licensed nursing assistant,” and the substitution of the words “, licensed practical nurse or a person authorized by the director of nursing under section 33.1.”; and

(b) in clause (e), by the deletion of the words “record every injury, medication error or treatment error immediately” and the substitution of the words “ensure that every injury, medication error or treatment error is recorded immediately”.

5. Subsection 26(1) of the regulations is revoked and the following substituted:

Staffing

- 26.** (1) The operator of a nursing home shall ensure that
- (a) the facility is staffed by an adequate number of registered nurses and licensed practical nurses to provide for the residents’ safety, comfort and nursing or other care in a manner that is appropriate to the residents’ state of health and degree of activity; and
 - (b) all caregiving staff are able to read, write and communicate verbally with residents and co-workers effectively.

6. Section 29 of the regulations is revoked and the following substituted:

Medical care

- 29.** (1) The operator of each nursing home shall designate a medical practitioner or nurse practitioner for the nursing home.

Operator’s
responsibility

- (2) Where a resident requires health services and the resident’s medical practitioner or nurse practitioner is not available, the operator shall be responsible for obtaining health services for the resident.

7. Section 30 of the regulations is revoked and the following substituted:

Other services

- 30.** (1) Where a resident requires the services of a dentist, dietician, physiotherapist, occupational therapist, optometrist or other health care provider, the operator shall, subject to subsection (2), arrange for the resident to have access to the services.

Payment for
services

- (2) Where the resident is responsible for the payment of all or a portion of the cost of the services referred to in subsection (1), the operator shall inform the resident accordingly and may require the resident to agree to pay for the services prior to arranging for the resident’s access to them.

8. Section 32 of the regulations is revoked and the following substituted:

Director of nursing

- 32.** (1) The operator of each nursing home shall designate an employee who is a registered nurse as the director of nursing for the nursing home.

(2) The director of nursing, subject to subsections (3) and (4), is responsible for

Responsibilities

- (a) the organization, direction and evaluation of nursing care in the nursing home;
- (b) directing the work of the nursing care staff in the nursing home;
- (c) organizing, supervising and evaluating the delivery of personal care services by residential care workers, including but not limited to quality improvement, risk management and infection control; and
- (d) the organization and direction of in-service training programs for nursing care staff and residential care workers in the nursing home.

(3) The functions of the director of nursing related to quality improvement, risk management, infection control and in-service training programs may be delegated by the director of nursing only to a registered nurse designated as a clinical resource nurse by, and acting under the direction of, the director of nursing.

Delegation

9. The regulations are amended by the addition of the following after section 33:

33.1 (1) The director of nursing or, in accordance with subsection 32(3), a clinical resource nurse shall evaluate and document the level of competency of each residential care worker based on the requirements of subsection (2).

Evaluation of competencies

(2) The director of nursing or clinical resource nurse may, following the evaluation referred to in subsection (1), assign duties to a residential care worker that are consistent with his or her demonstrated level of competence in the following activities:

Required competencies

- (a) performing a bed bath and a therapeutic tub bath for a dependent resident;
- (b) performing skin-care procedures for a resident;
- (c) bed-making procedures for both unoccupied and occupied beds;
- (d) providing general comfort measures to a resident, including but not limited to oral hygiene practices, motion exercises, backrubs and hair care;
- (e) caring for a resident with impaired respiratory function;
- (f) assisting with the administration of the plan of care developed for a resident with respect to the resident's nutritional and elimination needs;
- (g) using proper techniques for safely lifting, transferring and repositioning a resident;
- (h) observing proper hygiene and safety rules in providing care to a resident;
- (i) measuring, observing, reporting and documenting a resident's vital signs, height, weight, glucose levels and changes in health status;
- (j) caring for a resident with declining cognitive and physical health;
- (k) caring for a dying resident;

(l) reading, writing and communicating verbally with residents and co-workers effectively.

Responsibility of operator

(3) An operator shall ensure that no residential care worker is assigned or is performing a duty which the residential care worker is not competent to perform.

List of authorized persons

(4) For the purposes of clause 25(d), the director of nursing or the clinical resource nurse, as the case may be, shall establish and maintain a list of the names of each residential care worker employed by the nursing home who is authorized to maintain a medical record.

10. (1) Subject to subsection (2), these regulations come into force on January 1, 2018.

(2) Section 6 of these regulations comes into force on July 1, 2018.

EXPLANATORY NOTES

SECTION 1 amends section 1 of the regulations to add new definitions for the purposes of these amendments to the regulations.

SECTION 2 amends subsection 22(4) of the regulations to add a reference to a licensed practical nurse as a person who is authorized to administer, record and monitor medication under that subsection.

SECTION 3 amends section 23 of the regulations to add a new subsection 23(2) that sets out the right of residents to be treated with courtesy and respect and in a way that fully recognizes the resident's individuality and respects the resident's dignity.

SECTION 4 amends clause 25(d) of the regulations to delete a reference to a licensed nursing assistant and substitute a reference to a licensed practical nurse or another person authorized by the director of nursing under section 33.1 as persons responsible for ensuring that the medical record for each resident includes the required information. The section also amends clause 25(e) of the regulations to clarify that the operator's responsibility is to ensure that the required information is recorded, rather than recording it personally.

SECTION 5 revokes subsection 26(1) of the regulations and substitutes a new subsection 26(1) that clarifies the minimum staffing requirements that apply to nursing homes, and the basic communication skills required of the caregiving staff.

SECTION 6 revokes section 29 of the regulations and substitutes new subsections 29(1) and (2) that clarify the responsibility of the operator of a nursing home to designate a medical practitioner or nurse practitioner

to provide medical care to the residents, and to obtain needed health services for a resident whose medical practitioner or nurse practitioner is not available.

SECTION 7 revokes section 30 of the regulations and substitutes new subsections 30(1) and (2) that clarify the responsibility of the operator of a nursing home to arrange for residents to have access to needed services of a dentist, dietician, physiotherapist or other health care provider, subject to the requirement that the resident pay for any services the cost of which is the resident's responsibility.

SECTION 8 revokes section 32 of the regulations and substitutes new subsections 32(1) to (3) that establish the responsibility of the operator of a nursing home to designate an employee who is a registered nurse as the director of nursing for the nursing home, and clarify the duties and functions of the director of nursing.

SECTION 9 amends the regulations by adding a new section 33.1. Subsection 33.1(1) requires the director of nursing or a clinical resource nurse designated by the director of nursing under subsection 32(3) to evaluate and document the level of competency of each residential care worker. Subsection 33.1(2) establishes criteria for this evaluation. Subsection 33.1(3) requires an operator of a nursing home to ensure that no residential care worker is performing a duty that the person is not competent to perform. Subsection 33.1(4) requires the director of nursing or the clinical resource nurse, as the case may be, to establish and maintain a list of the residential care workers employed by the nursing home who are authorized to maintain a medical record.

SECTION 10 provides for the commencement of the regulations.

Certified a true copy,

Paul T. Ledwell

Clerk of the Executive Council and Secretary to Cabinet

EC2017-748

**MUNICIPAL GOVERNMENT ACT
FINANCIAL PLAN REGULATIONS**

(Approved by Her Honour the Lieutenant Governor in Council dated December 12, 2017.)

Pursuant to section 261 of the *Municipal Government Act*, R.S.P.E.I. 1988, Cap. M-12.1, Council made the following regulations:

Act, defined	1. In these regulations, “Act” means the <i>Municipal Government Act</i> R.S.P.E.I. 1988, Cap. M-12.1.
Operating budget - estimated revenues	2. The operating budget of a municipality for a fiscal year shall include the estimated amount of revenues from each of its sources of revenue and transfers for the fiscal year, including (a) revenue from taxes; (b) revenue from grants and transfers from other governments; (c) transfers from the municipality's reserve funds; (d) any projected operating surplus incurred in the previous fiscal year; and (e) revenue from all other sources, including fees or other charges in respect of the operation of any works, improvements, services and facilities.
Operating budget - estimated expenditures	3. The operating budget of a municipality for a fiscal year shall include the estimated amount needed to fund each of the following expenditures and transfers by the council for the fiscal year: (a) the operations of the municipality; (b) all debt obligations with respect to borrowings by the municipality, including (i) the interest and principle payments, or (ii) the interest and amortization associated with the borrowing; (c) transfers to a reserve fund; (d) transfers to the capital budget; (e) any projected operating deficit incurred in the previous fiscal year; (f) any uncollected tax or any debt or grant in lieu of tax that is not collectible; (g) any other amounts that the municipality is required to pay.
Estimated revenue - public utilities, municipal utilities, controlled corporations	4. The operating budget of a municipality for a fiscal year shall include the estimated amount of revenues from each of its public utilities, municipal utilities and controlled corporations for the fiscal year.
Estimated expenditures - public utilities, municipal utilities, controlled corporations	5. The operating budget of a municipality for a fiscal year shall include the estimated amount needed by the council to fund the expenditures and transfers for each of its public utilities, municipal utilities and controlled corporations for the fiscal year.
Operating budget - tax rate groups	6. The operating budget of a municipality for a fiscal year shall list (a) the established tax rate groups referred to in subsection 160(2) of the Act; (b) the rate or rates approved for each tax rate group pursuant to subsection 160(1) of the Act; and (c) the estimated revenue from each tax rate group for the fiscal year.
Content of capital budget	7. A council shall include in its capital budget for a fiscal year the estimates for the fiscal year of

- (a) the costs to acquire, construct, remove or improve each proposed capital project for that fiscal year;
- (b) the anticipated sources and the amounts of money required to pay the costs referred to in clause (a); and
- (c) the amount of money to be transferred from the operating budget or a reserve fund to the capital budget.

8. On and after March 31, 2019, a council shall include in its financial plan a five-year capital expenditure program that sets out

- (a) each proposed capital project for the next five years;
- (b) the estimated amount of money required to implement the expenditure program; and
- (c) the anticipated source of the money required to implement the expenditure program.

Content of capital
expenditure
program

9. (1) On and after March 31, 2019, a council shall maintain in its asset management program

- (a) an inventory of municipally-owned infrastructure, including any inventory of a controlled corporation;
- (b) the financial commitments required to maintain the infrastructure referred to in (a); and
- (c) the financial commitments referred to in clause (b) factored into the five-year capital expenditure program.

Content of asset
management
program

(2) The asset management inventory of infrastructure referred to in subsection (1) shall specify

- (a) the condition of each of the items included in the inventory;
- (b) the purpose for which each item is held;
- (c) the expected life cycle of the items included in the inventory;
- (d) the risk rating of each item included in the inventory; and
- (e) the priority ranking of each item included in the inventory.

Asset management
inventory

10. In conducting an audit pursuant to section 172 of the Act, an auditor shall examine the financial statements, financial information returns, records, books of account and other information relating to the financial affairs of the municipality for the fiscal year, including those

- (a) relating to any funds of the municipality held in trust by an officer or employee of the municipality; and
- (b) in the custody or control of any board, committee or other body that is established or appointed by the council and that administers funds of the municipality.

Scope of auditor's
examination

11. These regulations come into force on December 23, 2017.

Commencement

EXPLANATORY NOTES

SECTION 1 establishes that “Act” as used in the regulations means the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1.

SECTION 2 provides that the operating budget of a municipality must contain specified financial information respecting its estimated revenues for the fiscal year.

SECTION 3 provides that the operating budget of a municipality must contain specified financial information respecting its estimated expenditures and transfers for the fiscal year.

SECTION 4 provides that the operating budget of a municipality must include the estimated revenues from each of its public utilities, municipal utilities and controlled corporations for the fiscal year.

SECTION 5 provides that the operating budget of a municipality must include the estimated amount needed to fund the expenditures and transfers for each of its public utilities, municipal utilities and controlled corporations for the fiscal year.

SECTION 6 provides that the operating budget of a municipality must include information respecting the established tax rate groups referred to in subsection 160(2) of the Act and the rate or rates of tax for each group approved pursuant to subsection 160(1) of the Act, and the estimated revenue from each tax rate group for the fiscal year.

SECTION 7 provides that the capital budget of a municipality must contain specified information respecting its estimated expenditures for capital projects, sources of revenue and transfers from the operating budget for the fiscal year.

SECTION 8 provides that on and after March 31, 2019, a council must include in its financial plan a five-year capital expenditure program that sets out the specified information respecting each proposed capital project for the next five years.

SECTION 9 provides that on and after March 31, 2019, a council must maintain in its asset management program the specified information respecting its municipally-owned infrastructure.

SECTION 10 establishes the scope of an auditor's examination of the financial affairs of a municipality for a fiscal year.

SECTION 11 provides for the commencement of the regulations.

Certified a true copy,

Paul T. Ledwell

Clerk of the Executive Council and Secretary to Cabinet

EC2017-749

**MUNICIPAL GOVERNMENT ACT
MUNICIPAL ELECTION REGULATIONS**

(Approved by Her Honour the Lieutenant Governor in Council dated December 12, 2017.)

Pursuant to section 261 of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1, Council made the following regulations:

PART I - INTERPRETATION

- | | |
|---|----------------------|
| 1. In these regulations, | Definitions |
| (a) “Act” means the <i>Municipal Government Act</i> R.S.P.E.I. 1988, Cap. M-12.1, except where otherwise indicated; | Act |
| (b) “elector” means a person entitled to vote at an election; | elector |
| (c) “health care facility” means a hospital, community care facility or nursing home; | health care facility |
| (d) “voter” means a person who has voted in an election. | voter |

PART II - ELECTION PREPARATIONS

Division 1 – General

- | | |
|--|-----------------------------|
| 2. Where a council has not divided its municipality into wards pursuant to section 39 of the Act, the municipality is deemed to be one ward for the purposes of an election or by-election. | Municipality as ward |
| 3. A council of a municipality may commence the election process | Writ of election |
| (a) by resolution; or | |
| (b) by issuing a writ of election. | |
| 4. (1) Where, in the opinion of the municipal electoral officer, it is impracticable due to weather conditions or other unforeseen circumstances to hold an election on the date fixed, the municipal electoral officer may, not later than two hours before the polling stations are to open, adjourn the date of the election to the next calendar day that is not a holiday. | Adjournment |
| (2) While an election is adjourned, the municipal electoral officer shall make all reasonable efforts to ensure that the election materials are secured and that the integrity of the election is not compromised. | Security during adjournment |

Notice of adjournment	(3) The municipal electoral officer shall immediately give notice to the public and any other persons affected by an adjournment, in any manner the municipal electoral officer considers appropriate, of (a) the new election date; and (b) changes to any other dates made necessary by the adjournment.
Date of by-election	5. (1) For the purposes of subsection 60(1) of the Act, the day fixed by a council for a by-election shall be a Monday.
Procedures	(2) A by-election shall be conducted as nearly as practicable in accordance with the provisions of the Act, these regulations and any bylaw governing elections, including the timeframes and dates respecting (a) the opening of an election office; (b) the notices required; (c) the nomination period; (d) the appointment of election officials; (e) the compilation of the list of electors; (f) voting procedures, including an advance poll; and (g) the counting of the ballots.

Division 2 – Polling Divisions

Establishment of polling divisions	6. (1) The municipal electoral officer shall (a) establish as many polling divisions in each ward as are necessary in the opinion of the municipal electoral officer, giving consideration to (i) geographical and other factors that may affect the convenient conduct of the election, (ii) the desirability of the territorial limits of the polling divisions conforming as nearly as possible to those established for the last municipal election, and (iii) the incorporation, where practical, of approximately 400 electors in a polling division; (b) prepare a map of the boundaries of each polling division in each ward; and (c) post the map referred to in clause (b) in the election office not later than 24 days before election day.
Larger polling division	(2) Despite subclause (1)(a)(iii), where the municipal electoral officer determines that it is more convenient to establish a polling division containing substantially more than 400 electors, the municipal electoral officer may establish one or more polling divisions with more than 400 electors.
Revisions	7. The municipal electoral officer (a) may correct an error or omission on the map of a polling division;

- (b) may redefine a boundary of a polling division or renumber a polling division and show the change on the map of the polling division; and
- (c) shall, where a map of a polling division has been revised in accordance with clause (a) or (b), post the revised map in the election office within 24 hours of the revision.

Division 3 – Municipal Electoral Officer

8. (1) A municipal electoral officer shall, in respect of an election,
- (a) exercise general direction and supervision of the administration and conduct of the election;
 - (b) ensure fairness, impartiality and compliance by election officials with the Act, these regulations and any election bylaw; and
 - (c) issue to election officials the instructions that are necessary to ensure the effective execution of Part 3 of the Act, these regulations and any election bylaw.
- (2) Where during the course of an election the municipal electoral officer determines that insufficient time has been allowed, or insufficient election officials or polling stations have been provided, for the proper conduct of the election, or in the event of any mistake or miscalculation or any unforeseen emergency, the municipal electoral officer may
- (a) subject to subsection (3), extend the time for doing any act;
 - (b) increase or decrease the number of election officials;
 - (c) increase or decrease the number of polling stations; and
 - (d) modify a provision of these regulations or any election bylaw to allow its use at a by-election.
- (3) The municipal electoral officer shall not
- (a) extend the hour for accepting a nomination on nomination day or the opening or closing of an advance or ordinary polling station; or
 - (b) change the date of an election except in accordance with section 4.
- (4) Where the municipal electoral officer extends the time for doing an act pursuant to clause 8(2)(a), the municipal electoral officer shall provide notice of the changes to the public and, if candidates have been nominated, to each candidate.
- (5) The municipal electoral officer is accountable to the council with respect to the performance of his or her duties under the Act, these regulations and any election bylaw.
- (6) The municipal electoral officer shall not be appointed or act as a returning officer.
- (7) The municipal electoral officer may delegate to another election official a power or duty assigned to the municipal electoral officer under these regulations, except

Duties, authority of
municipal electoral
officer

Powers of
municipal electoral
officer

Limitation

Notice

Accountability

Prohibition

Delegation by
municipal electoral
officer

- (a) the duty of general direction and supervision of the administration and conduct of the election under clause (1)(a); and
- (b) the powers specified in clauses (2)(a), (c) and (d).

Duties of deputy
municipal electoral
officer

9. (1) The deputy municipal electoral officer may perform all the duties of an election clerk or a poll clerk, and if there is no election clerk or poll clerk appointed, the deputy municipal electoral officer shall perform those duties.

Other powers

(2) A municipal electoral officer, returning officer or deputy returning officer appointed to attend at a polling station has the power to ask the questions and receive and witness the declarations or oaths authorized by law to be asked of and made by electors.

Division 4 – Election Office

Election office

10. The municipal electoral officer shall, no later than the fourth Tuesday before election day in an election year,

- (a) open and maintain throughout the period specified in section 11 an election office in a convenient location that is accessible to the electors of the municipality; and
- (b) include the location and hours of the election office in the notice required under section 42 of the Act.

Minimum office
hours

11. From the fourth Tuesday before election day until the election is concluded, the election office shall be open to the public

- (a) at least 2 days each week for a minimum of 3 hours each day between the hours of 9 a.m. and 9 p.m.;
- (b) on nomination day, from 9 a.m. to 2 p.m.;
- (c) during the advance poll, for the same hours that the advance polling station is open; and
- (d) on election day, for the same hours that the polls are open.

Division 5 – Appointment of Election Officials

Appointment of
returning officer

12. (1) Subject to subsection (2), the municipal electoral officer shall, in writing, appoint a returning officer and shall delegate to the returning officer responsibility for administering the electoral process in the municipality.

Ineligibility

(2) The chief administrative officer of a municipality is not eligible to be appointed as a returning officer.

Removal from
office

(3) The municipal electoral officer may remove from office any returning officer who

- (a) is unable to act; or
- (b) fails to perform the duties of the office in a satisfactory manner.

Requirement to
notify

(4) A returning officer who is unable to act shall immediately notify the municipal electoral officer.

- 13.** (1) A returning officer may, in writing, appoint an election clerk to assist the returning officer in the performance of his or her duties. Appointment of election clerk
- (2) An election clerk shall not be the spouse, parent, child or sibling of the returning officer whom the election clerk is appointed to assist. Eligibility
- (3) The election clerk may act in the place of the returning officer, and may exercise the powers and shall perform the duties of the returning officer, where the returning officer Acting in place of returning officer
- (a) is absent or ill;
 - (b) fails to perform the duties of the office; or
 - (c) vacates the office.
- (4) The election clerk shall cease to act in place of the returning officer under subsection (3) when Ceasing to act
- (a) the returning officer resumes his or her duties; or
 - (b) the municipal electoral officer appoints another returning officer under subsection 12(1).
- (5) Where a returning officer is Duty to notify
- (a) unable to act; and
 - (b) unable to notify the municipal electoral officer of his or her inability to act as required under subsection 12(3),
- the election clerk shall immediately notify the municipal electoral officer that the returning officer is unable to act.
- 14.** (1) Subject to subsection (2), the returning officer shall, no later than 14 days before election day, in writing, appoint deputy returning officers and poll clerks for each polling division in each ward in a municipality. Deputy returning officers, poll clerks
- (2) Where there is only one polling station for a municipality, Single polling station
- (a) the returning officer may perform all the duties of a deputy returning officer at that polling station and, if there is no deputy returning officer appointed, the returning officer shall perform those duties; and
 - (b) the deputy municipal electoral officer may perform all the duties of a poll clerk at that polling station and, if there is no poll clerk appointed, the deputy municipal electoral officer shall perform those duties.
- 15.** The returning officer may, in writing, appoint an information officer who shall, at a polling station, Information officer
- (a) provide information to electors; and
 - (b) maintain peace and order.
- 16.** (1) A returning officer shall make and sign a declaration, in the form approved by the Minister and in the presence of the municipal electoral officer, that the returning officer shall faithfully and impartially perform his or her duties in the administration of the election. Declaration by returning officer

Declaration by other election officials	(2) Each election official appointed by the returning officer shall make and sign a declaration, in the form approved by the Minister and in the presence of the returning officer, that the election official shall faithfully and impartially perform his or her duties in the administration of the election.
Duration of office	17. An election official shall hold office until (a) the day on which the municipal electoral officer declares the official results of the election; or (b) the election official is dismissed by the person who appointed him or her, whichever occurs first.
Qualifications of election officials	18. (1) No individual shall be appointed as a returning officer, election clerk, enumeration officer, deputy returning officer, poll clerk or information officer unless the individual is a resident of Prince Edward Island.
Election officials in Resort Municipality	(2) Notwithstanding subsection (1), no individual shall be appointed as a returning officer, election clerk, enumeration officer, deputy returning officer, poll clerk or information officer in the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico unless the individual is qualified to be an elector in the Resort Municipality.

PART III - ELIGIBILITY OF ELECTORS

Division 1 – Enumeration or Registration of Electors

Enumeration of electors	19. (1) Where a council, under clause 41(1)(a) of the Act, establishes by bylaw a system of enumeration of persons entitled to vote at an election, the bylaw shall include provisions respecting (a) the appointment of enumerators by the municipal electoral officer no later than the fifth Tuesday before election day; (b) the duties that shall be performed by enumeration officers; (c) the training of enumeration officers; and (d) the process to be used for the enumeration of electors.
Completion of enumeration	(2) An enumeration of electors shall be completed on or before the third Tuesday before election day.
Collection of personal information	(3) An enumerator shall collect and record in the enumeration record the following personal information from potential electors: (a) legal name; (b) date of birth; (c) civic address; (d) mailing address; (e) contact information.

(4) The municipal electoral officer, on receipt of the enumeration record from the enumerator, Responsibility of
municipal electoral
officer

- (a) shall determine whether the enumerator has complied with these regulations and the enumeration bylaw;
- (b) shall assign a unique identification number to each elector and add it to the elector's enumeration record;
- (c) shall, if it appears to the municipal electoral officer that the enumerator has made a clerical error on the enumeration record, correct the clerical error and initial the correction; and
- (d) may, if the enumerator has failed to comply with these regulations or the enumeration bylaw,
 - (i) dismiss the enumerator,
 - (ii) appoint a new enumerator, and
 - (iii) direct the new enumerator to complete the enumeration process in the area formerly assigned to the dismissed enumerator.

20. (1) Where a council, under clause 41(1)(a) of the Act, establishes by bylaw a system of registration of persons entitled to vote at an election, the bylaw shall Registration of
electors

- (a) provide that a register of electors shall be established and, during the election period, maintained by the municipal electoral officer;
- (b) authorize the municipal electoral officer to establish and maintain the register, and revise the register as necessary, by using all or any of the following sources of information:
 - (i) the register established for a previous election, if available,
 - (ii) information obtained from conducting an enumeration of electors,
 - (iii) information provided by the Chief Electoral Officer of Prince Edward Island that was used to compile lists of electors for use at a general election, by-election, plebiscite or referendum conducted by the Chief Electoral Officer of Prince Edward Island, or
 - (iv) any other information obtained by or available to the municipal electoral officer; and
- (c) specify the person responsible for maintaining the register at any time when no municipal electoral officer is appointed.

(2) The register may be established and revised by means of any computer-based system and may be maintained in printed form or stored in any computer-based system or information storage device that is capable of reproducing any required information in legible form within a reasonable time. Form of register

(3) The register shall include, for each elector,

- (a) the elector's
 - (i) legal name,
 - (ii) civic address,
 - (iii) mailing address,
 - (iv) contact information, and

Information
respecting electors

- (v) date of birth;
- (b) a unique identification number assigned to the elector by the municipal electoral officer; and
- (c) another identification number, if one has been assigned to that elector by the Chief Electoral Officer of Prince Edward Island, to assist in distinguishing one person from another or verifying the information about a person.

Protection of
personal
information

21. Personal information in an enumeration record in respect of an elector that is collected or obtained under section 19 or 20 for the purpose of an election

- (a) shall be used only for the purpose for which it was collected or obtained; and
- (b) shall be disclosed only to the Chief Electoral Officer for a purpose for which the Chief Electoral Officer has responsibility under an enactment.

Division 2 – Lists of Electors

Preliminary list of
electors

22. (1) As soon as possible after the completion of the enumeration of electors, the creation of a register of electors or on receipt of the list of electors from the Chief Electoral Officer under subsection 41(2) of the Act, as the case may be, the municipal electoral officer shall prepare and maintain a preliminary list of electors for each polling division and supply the returning officer with copies of the preliminary list for the purpose of subsection (2).

Distribution of
preliminary list

- (2) The returning officer shall
 - (a) keep a copy of the preliminary list for use in the performance of the returning officer's duties; and
 - (b) provide each officially nominated candidate or the candidate's agent with a copy of the preliminary list of electors for every polling division and, where there are wards, for each ward.

Contents of
preliminary list

(3) The preliminary list and official list of electors shall include only the name, civic address and unique identification number of each elector.

Revisions to
preliminary list

(4) Until 11:59 a.m. on the 13th day before election day, the municipal electoral officer shall revise the preliminary list of electors as necessary, and shall indicate on the list all additions, deletions and changes required.

Organization of list
of electors

(5) Each list of electors shall be organized alphabetically and numbered sequentially for each polling division.

Statement of
additions, etc.

(6) The municipal electoral officer shall record the additions, deletions and changes to the preliminary list of electors referred to in subsection (4) on a separate statement.

23. (1) At 12 noon on the 13th day before election day, the preliminary list of electors for each polling division and any additions, deletions and changes made to the list by the municipal electoral officer constitute the official list of electors for the polling division. Official list

(2) As soon as possible after the completion of the official list of electors, the municipal electoral officer shall provide the returning officer with copies of the official list for the purpose of subsection (3). Provision of official list

(3) The returning officer shall Distribution of official list

- (a) keep a copy of the official list of electors for use in the performance of the returning officer's duties;
- (b) provide a copy of the official list of electors to each deputy returning officer for use at the polling station; and
- (c) provide each officially nominated candidate or the candidate's agent not later than the 12th day before election day with a copy of the official list of electors for each polling division and, where there are wards, for each ward.

(4) The official list of electors shall be used at every polling station. Use of official list

(5) After 11:59 a.m. on the 13th day before election day, the name of an eligible elector may be added to the official list of electors only prior to voting at the polling station during the advance or regular election voting, in accordance with the procedure set out in section 44 or 53, as the case may be. Addition of eligible electors

24. Where the municipal electoral officer has determined pursuant to subsection 6(2) that a polling division shall contain more than 400 electors, the municipal electoral officer may Additional polling stations

- (a) provide two or more polling stations for the polling division to allow, as nearly as possible, an equal number of electors to vote at each polling station; and
- (b) divide the official list of electors for the polling division into as many separate lists as the municipal electoral officer considers appropriate for the taking of the vote at each polling station.

PART IV - CANDIDATES

25. (1) For the purpose of section 42 of the Act the municipal electoral officer shall publish a notice respecting nomination proceedings that contains Notice of nomination proceedings

- (a) all the information required under section 42 of the Act;
- (b) the location and hours of the election office;
- (c) the times when nominations will be received;
- (d) the deadline for correcting elector information prior to voting at the polls, which shall be no later than 11:59 a.m. on the 13th day before election day; and

	(e) the name and contact information of the municipal electoral officer and the returning officer.
Publication of notice	(2) The notice required under section (1) shall be (a) published in at least one local newspaper circulating within the municipality; (b) published by at least one electronic means that is likely to bring the notice to the attention of persons residing in the municipality; and (c) posted at the election office and at the municipal office designated pursuant to subsection 85(1) of the Act.
Nomination of candidates	26. (1) Subject to clause (4)(a), any five or more qualified electors in a municipality may nominate a candidate during the nomination period.
Written nomination	(2) A nomination shall be in writing and in the form approved by the Minister.
Responsibility of candidate	(3) A candidate shall (a) file the completed nomination paper at the election office with the municipal electoral officer or returning officer, at a time specified for the receipt of nominations; and (b) where required to do so by a municipal bylaw made pursuant to clause (4)(b), pay the deposit to the municipal electoral officer or returning officer.
Bylaw respecting nominations	(4) A council of a municipality may, by bylaw, establish (a) a higher minimum number of nominators, not to exceed 10 qualified electors in the municipality; (b) the requirement for a deposit to be paid by candidates, to a maximum of \$200, including specifying the acceptable forms of payment; and (c) whether, and in what circumstances, the deposit referred to in clause (b) is refundable, subject to these regulations.
Nomination by ward	(5) Where candidates are nominated by ward, the nominators shall be residents of the ward for which they are nominating a candidate.
Restriction on nomination	27. An eligible candidate may be nominated for the position of councillor or mayor but not both.
Validity	28. A nomination paper is not invalid by reason only that (a) a person who signed it also signed the nomination paper of another candidate; (b) a person who signed it is not qualified under section 26 and Part 3 of the Act to do so, if the minimum number of qualified persons have signed it; or (c) the name and address of a person who signed it, as it appears on the nomination paper, differs from that appearing on the preliminary

list of electors, if the municipal electoral officer or returning officer, as the case may be, is satisfied of the identity of that person.

29. (1) The municipal electoral officer or returning officer shall review each nomination paper to determine whether the nomination complies with the requirements of the Act and these regulations and, if so,

Review of
nomination paper

- (a) sign the nomination paper to show that it has been accepted; and
- (b) where a municipal bylaw requires the candidate to pay a deposit,
 - (i) sign the receipt of the deposit on the nomination paper, and
 - (ii) provide the deposit to the chief administrative officer, who shall pay it into the bank account of the municipality.

(2) The signing of the nomination paper by the municipal electoral officer or returning officer is conclusive proof that the candidate has been officially nominated.

Conclusive proof

30. On any day before nomination day, and before 2 p.m. on nomination day, a candidate may, in writing, direct the municipal electoral officer to change the particulars of the name or address of the candidate that appear on the nomination paper and, if the municipal electoral officer is satisfied that the particulars as changed correspond to those by which the candidate is known in the ward, the municipal electoral officer shall attach the written direction to the nomination paper and amend it accordingly.

Request for change
by candidate

31. Where a candidate has

Return of deposit

- (a) paid a deposit under clause 26(3)(b); and
- (b) completed and filed a campaign disclosure pursuant to section 36 of the Act,

the chief administrative officer of the municipality shall return the deposit, where required to do so by a bylaw made pursuant to subsection 26(4), to the candidate.

32. (1) A candidate who has been officially nominated may withdraw as a candidate by filing with the municipal electoral officer, on any day before nomination day and before 2 p.m. on nomination day, a declaration in the form approved by the Minister stating that the candidate withdraws.

Withdrawal of
candidate

(2) A candidate who withdraws under subsection (1) shall be deemed not to have been officially nominated.

Result of
withdrawal

(3) An officially nominated candidate may withdraw between the close of nominations and the close of the polls on election day by filing with the municipal electoral officer a declaration in the form approved by the Minister stating that the candidate withdraws, and in that case the election shall continue and, where ballots cannot be modified to remove the candidate's name, any votes cast for the candidate shall not be counted.

Withdrawal after
nomination day

Deposit forfeit	(4) If the candidate referred to in subsection (1) or (3) has paid a deposit under clause 26(3)(b), the deposit shall be forfeited to the municipality.
Death of candidate	33. (1) Where an officially nominated candidate dies before the close of polls on election day, the candidate's deposit shall be returned to the candidate's personal representative.
Death before close of nominations	(2) Where an officially nominated candidate dies at any time before nomination day or before 2 p.m. on nomination day, the candidate shall be deemed not to have been officially nominated.
Death after close of nominations	(3) Where an officially nominated candidate dies between the close of nomination and the close of the polls on the day of the election, the election will continue and, where ballots cannot be modified to remove the candidate's name, any votes cast for the candidate shall not be counted.
Extension of nomination period	34. Where the nomination period is extended pursuant to subsection 44(3) of the Act, the municipal electoral officer shall publish notice of the extension (a) by electronic means, no later than 5 p.m. on nomination day; and (b) in a local newspaper circulating within the municipality, no later than the 14th day before election day.
Agent of candidate	35. (1) Subject to subsection (2), a candidate may, in writing and in the form approved by the Minister, appoint one or more agents to represent the candidate at the election or at any proceeding of the election.
Limitation on number of agents	(2) A candidate shall not appoint more than two agents to represent the candidate at any one polling station.
Effect of absence of candidate, etc.	(3) The absence of a candidate or the candidate's agent at any time or place the candidate or agent is permitted by the Act or these regulations to be present shall not invalidate any act or thing done during the absence of the candidate or agent.

PART V - PREPARING FOR THE VOTE

Notice of Nominated Candidates	36. (1) Where an election is required to be held pursuant to subsection 44(8) of the Act, the municipal electoral officer, at the conclusion of nomination proceedings, shall post a Notice of Nominated Candidates, containing the list of officially nominated candidates, in a conspicuous place in the election office where it shall be available for public inspection at all reasonable times.
Publication	(2) The municipal electoral officer shall, in addition to posting the Notice of Nominated Candidates in accordance with subsection (1), publish it by any means the municipal electoral officer considers appropriate to bring it to the attention of electors in the ward.

37. (1) Where an election is required to be held pursuant to subsection 44(8) of the Act, the municipal electoral officer shall, not later than Wednesday, the 12th day before election day, publish a Notice of Election Information setting out

Notice of election information

- (a) the wards for which an election shall be held;
- (b) the location and hours of the advance poll;
- (c) the location and hours of the polling stations on election day; and
- (d) the type and number of identification documents that are required of electors at the voting stations.

(2) The notice required under section (1) shall be

Publication of notice

- (a) published in at least one local newspaper circulating within the municipality;
- (b) published by at least one electronic means that is likely to bring the notice to the attention of persons residing in the municipality;
- (c) posted at
 - (i) the election office, and
 - (ii) the municipal office designated pursuant to subsection 85(1) of the Act or another public place in the municipality; and
- (d) provided to each candidate in the municipality.

38. (1) Where, at the conclusion of the nomination proceedings, an election is required to be held pursuant to subsection 44(8) of the Act, the municipal electoral officer shall order the necessary ballot papers be prepared.

Ballot papers

(2) The municipal electoral officer shall ensure that separate ballot papers, distinguished by being printed on paper of different colours, are printed in accordance with the requirements of this section for the offices of

Separate ballot papers

- (a) mayor; and
- (b) members of council.

(3) The names of candidates shall be printed on the ballot papers alphabetically in the order of their surnames.

Order of names

(4) The ballot papers shall be of a consistent size and each ballot paper shall be printed with

Size, etc. of ballot papers

- (a) the name of the municipality;
- (b) the year of the election; and
- (c) on its reverse side, a mark or detail that cannot be easily reproduced.

(5) The ballot papers shall be printed on paper of a quality, weight and size determined by the municipal electoral officer.

Quality of paper

(6) The ballot papers shall be bound in books, each containing 25 ballot papers.

Books of ballot papers

Ballot boxes	39. (1) The municipal electoral officer shall ensure that ballot boxes that meet the requirements of this section are provided for each polling station in the municipality.
Requirements	(2) The ballot boxes shall be (a) capable of being sealed; and (b) constructed with a slit or narrow opening on the top, so that ballots may be deposited into but cannot be withdrawn from the ballot box without unsealing the box.
Responsibility of deputy returning officer	40. The deputy returning officer shall be responsible for any election materials and supplies received, and shall prevent any unauthorized person from having access to them.
Polling stations	41. (1) The municipal electoral officer may at any time direct the returning officer to secure premises as the location for each polling station that are accessible to all members of the public, including persons with disabilities.
Information to municipal electoral officer	(2) The returning officer shall provide the list of polling stations to the municipal electoral officer with the location and address of each polling station.
Change of polling station	(3) Where it is found impracticable to hold the voting in the location previously advertised as a polling station, the returning officer shall designate another location as a polling station as near as practicable to the original location, and shall (a) provide notice in writing of the new location of the polling station to each candidate in the ward; and (b) post notices on or before election day at or near the polling station originally advertised stating the new location of the polling station.
Equipment required	42. The returning officer shall ensure that (a) each polling station contains a compartment, adequately lighted, where an elector may mark the ballot paper in secrecy; and (b) throughout the hours of election day, the compartment contains a table or desk and a black lead pencil properly sharpened.

PART VI - VOTING

Division 1 - Advance Poll

Advance poll	43. (1) In accordance with section 45 of the Act, and subject to subsection (2), the municipal electoral officer shall establish one or more advance polls for the municipality to allow electors to vote in advance of election day.
Hours of advance poll	(2) An advance poll shall be open for at least three hours on a date that shall be no later than the Saturday before election day.

(3) The council of a municipality may, by bylaw, establish additional days and times at which an advance poll shall be open. Authority of council

(4) Except as provided in this Division, the advance poll shall be conducted in the same manner as the voting at a polling station on election day. Conduct of advance poll

44. (1) An elector may vote at an advance poll Voting at advance poll

- (a) if the elector's name is on the official list of electors for the ward where the advance voting is to be held; or
- (b) if the elector's name is not on the official list of electors for the ward, the elector completes and signs a declaration in the form approved by the Minister, declaring that the elector, subject to subsection (2),
 - (i) is a resident of the municipality and, where there is more than one ward, of the ward where the elector proposes to vote, and
 - (ii) meets all of the qualifications of electors as set out in subsection 31(2) of the Act.

(2) If the name of an elector in the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico is not on the official list of electors for the Resort Municipality, the deputy returning officer shall request that the elector complete and sign a statutory declaration in the form approved by the Minister, declaring that the elector Advance poll in Resort Municipality

- (a) is either a resident or a non-resident property elector of the Resort Municipality; and
- (b) meets the applicable qualifications as set out in subsection 32(3) of the Act.

45. (1) If the elector's name is on the official list of electors, the poll clerk at the advance poll shall enter the elector's name and address on the election record and strike out the name from the list. Procedure

(2) If the elector's name is not on the official list of electors, and the elector has completed the declaration referred to in subsection 44(1) or (2), the poll clerk shall add the elector's name to the official list of electors, strike out the name and enter the elector's name and address at the bottom of the election record. Elector's name not on list

46. The deputy returning officer shall, at all times after the opening of the advance poll and during the hours of voting, ensure that no person, other than the deputy returning officer and the poll clerk, has access to the ballot box. Security of ballot box

47. (1) At the close of the advance poll, the poll clerk shall complete the list of voters who voted at the advance poll and immediately deliver the completed list of voters to the returning officer. Procedure on close of advance poll

(2) At the close of the advance poll the deputy returning officer shall Sealing ballot box

-
- (a) in the presence of the poll clerk and any candidate or candidate's agent
- (i) seal the ballot box so that it cannot be opened and ballot papers cannot be deposited in it without breaking the seals, and
- (ii) together with the poll clerk and any of the other persons present who desire to do so, sign the ballot box across the seal in such a way that the ballot box cannot be opened without disturbing the signatures; and
- (b) in the presence of the poll clerk, deliver the ballot box to the returning officer, who shall keep the ballot box secure until election day.
- Counting of advance poll ballots (3) At the close of the voting on election day, at a time and place as directed by the municipal electoral officer, the deputy returning officer shall, in the presence of the poll clerk,
- (a) break the seals and open the advance poll ballot box;
- (b) count the ballots cast for each of the candidates;
- (c) ensure that no ballots remain in the ballot box;
- (d) complete the appropriate forms; and
- (e) after the polling stations are closed on election day, report the results of the advance poll to the returning officer.
- Mail-in ballots **48.** (1) Where a municipal election bylaw provides for voting by mail-in ballots, the bylaw shall establish a process for voting by mail-in ballot that includes
- (a) the requirements for an elector to apply for and receive a mail-in ballot;
- (b) the provision of mail-in ballots and double envelopes to protect the secrecy of the ballots;
- (c) the process for mailing and handling the ballots; and
- (d) the procedures for counting and reporting all mail-in ballots on election day.
- Application (2) The application for a mail-in ballot shall be in the form approved by the Minister.
- Returning officer's responsibility (3) The returning officer shall be responsible for administering the mail-in ballot process.
- Elector's responsibility (4) It is the responsibility of the elector to ensure that
- (a) the elector's application for a mail-in ballot is completed and received by the returning officer within the time period specified in the bylaw; and
- (b) the completed mail-in ballot is received by the returning officer within the time period specified in the bylaw.
- Prohibition (5) Where a mail-in ballot has been issued to an elector,
- (a) the returning officer shall strike through the elector's name on the official list; and
- (b) that elector shall vote only by mail-in ballot.

- (6) The municipal electoral officer shall, immediately before the opening of the polling stations, provide a list of the names of persons who applied for and were issued mail-in ballots to
- (a) the poll clerk at each polling station; and
 - (b) on request, to the candidates and their agents.

Information to
candidates

Division 2 – Election Day

- 49.** Each polling station shall open at 9 a.m. and close at 7 p.m. on election day, and each deputy returning officer shall, during that time in the polling station assigned to him or her, take the votes of the electors qualified to vote at that polling station.

Hours at polling
station

- 50.** Only the following persons shall be permitted to remain in a polling station while it is open:
- (a) any authorized election officers;
 - (b) the candidates and a maximum of one agent for each candidate;
 - (c) any other persons who may be authorized in writing by the municipal electoral officer to be present.

Persons entitled to
remain

- 51.** (1) The deputy returning officer shall, no later than thirty minutes prior to the opening of the polling station, and in full view of the poll clerk and the candidates or their agents, if present,
- (a) post the instructions for the electors in the voting compartment of the polling station;
 - (b) count the ballot papers and permit any candidate or candidate's agent who is present to inspect them; and
 - (c) ascertain that the ballot box is empty, seal it with a seal provided by the municipal electoral officer and place it on the table in full view of all present, where it shall remain sealed until the close of voting.

Procedures prior to
opening

- (2) The ballot box shall be sealed in such a way that
 - (a) the box cannot be opened without disturbing the seal;
 - (b) the seal cannot be easily removed; and
 - (c) the seal is capable of being written upon.

Sealing ballot box

- (3) The seal shall be initialled by the deputy returning officer, the poll clerk and the candidates or candidates' agents, if present.

Initialling seal

- 52.** (1) Subject to subsection (2), a person may vote at a polling station on election day in accordance with this Part.

Voting at polling
station

- (2) A person shall not vote at a polling station on election day if
 - (a) the person has voted at an advance poll;
 - (b) the person has been issued a mail-in ballot; or
 - (c) the person's name is not on the official list and the person refuses to complete the appropriate statutory declaration required under section 53.

Prohibition

Admission of electors	53. (1) The deputy returning officer shall, at the time established for opening a polling station and during the voting hours, admit into the polling station any person (a) whose name is on the official list of electors; (b) who is qualified to vote at the polling station; or (c) who is, pursuant to section 57, acting as a friend of a person referred to in clause (a) or (b).
Identification required	(2) Every elector shall provide to the deputy returning officer as proof of identity and place of residence (a) one piece of identification issued by the Government of Canada or of the Province of Prince Edward Island that establishes the elector's name and address; or (b) any two pieces of other identification or documentation, each of which establishes the elector's name and at least one of which establishes the elector's address.
Alternative means of proof	(3) An elector who is unable to provide to the deputy returning officer the proof of residence required under subsection (2) may (a) provide to the deputy returning officer two pieces of identification, each of which establishes the elector's name; and (b) complete and sign a statutory declaration in the form approved by the Minister stating either (i) that the elector's address is as shown on the official list of electors, or (ii) if the elector's address is different from that shown on the official list of electors, that the elector is a resident of the municipality and, where there is more than one ward in the municipality, that the elector is a resident of the ward in which the elector proposes to vote.
Elector's name on list	(4) If the elector's name is on the official list of electors, the poll clerk shall enter the elector's name and address in the election record and strike out the elector's name from the list.
Record of changes	(5) The poll clerk shall record any changes to the elector information in the notes section of the election record.
Elector's name not on list	(6) Where the elector's name is not on the official list of electors, the deputy returning officer shall request that the elector complete and sign a statutory declaration in the form approved by the Minister, declaring that the elector (a) is a resident of the municipality and, where there is more than one ward, that the elector is a resident of the ward in which the elector is proposing to vote; and (b) meets all of the qualifications of electors as set out in subsection 31(2) of the Act.
Elector in Resort Municipality	(7) Where the name of an individual who is an elector in the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and

North Rustico is not on the official list of electors for the Resort Municipality, the deputy returning officer shall request that the elector complete and sign a statutory declaration in the form approved by the Minister, declaring that the elector

- (a) is either a resident or a non-resident property elector of the Resort Municipality; and
- (b) meets the applicable qualifications as set out in subsection 32(3) of the Act.

(8) Where the name of a non-resident property owner in the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico that is a corporation or a co-operative association is not on the official list of electors for the Resort Municipality, the deputy returning officer shall add the name of the non-resident property elector to the official list, and shall permit a shareholder or member of the corporation or co-operative association, as the case may be, to vote on behalf of the non-resident property elector, if the deputy returning officer is satisfied that

Non-resident
property elector

- (a) the non-resident property elector is a registered owner of real property in the municipality; and
- (b) the shareholder or member who proposes to vote on behalf of the non-resident property elector is authorized to do so in accordance with 32(5) of the Act.

(9) Where an elector has completed and signed a statutory declaration under subsection (6) or (7), or where the deputy returning officer is satisfied under subsection (8) that the name of a non-resident property elector should be added to the list of electors in the Resort Municipality referred to in that subsection, the poll clerk shall add the elector's name to the official list of electors and strike out the elector's name.

Addition of name to
list

(10) The poll clerk shall enter the name and address of an elector who has signed the statutory declaration referred to in subsection (6) or (7) in the election record.

Entry in election
record

(11) Where the eligibility of an elector whose name is on the official list of electors is challenged by an election official or by a candidate or a candidate's agent, the deputy returning officer shall request that the elector make and sign the statutory declaration referred to in subsection (6) or (7), as applicable.

Eligibility
challenged

(12) A person

Refusal to comply

- (a) whose name is not on the official list of electors or whose eligibility to vote has been challenged under subsection (11); and
- (b) who refuses to make and sign the statutory declaration referred to in subsection (6) or (7), as applicable,

shall not receive a ballot paper or be permitted to vote, or be again admitted to the polling station, and the poll clerk shall add a note to the election record to that effect.

Right to challenge	(13) No person other than an election official or a candidate or candidate's agent shall address any elector with respect to that elector's eligibility to vote in the polling station.
Ballot paper procedures	54. The deputy returning officer shall (a) initial and fold one ballot paper for the election of mayor and one for the election of a member of council so that, when folded, the deputy returning officer's initials can be seen on each ballot without unfolding it; (b) instruct the elector to place an "X" or a check mark by the name of the candidate for whom the elector intends to vote; (c) direct the elector to return the ballot papers, when marked, folded as directed to the deputy returning officer; and (d) give the ballot paper to the elector.
Marking of ballot paper	55. (1) An elector who has been given a ballot paper shall (a) proceed into the voting compartment and mark the ballot paper by making an "X" or a check mark with a pencil within the space on the ballot paper opposite the name and particulars of the candidate for whom the elector intends to vote; (b) fold the ballot paper so that the initials can be seen without unfolding it; and (c) return with it to the deputy returning officer.
Duty of deputy returning officer	(2) Upon receiving the folded ballot paper from the elector, the deputy returning officer shall, without unfolding it, ascertain by examination of the initials that it is the same ballot paper that was given to the elector and if it is, the deputy returning officer (a) shall, where a ballot includes a counterfoil, remove the counterfoil and secure it for later destruction; and (b) where (i) requested to do so by the elector, return the folded ballot paper to the elector who shall immediately place the ballot in the ballot box, or (ii) the elector has not requested the return of the folded ballot paper, deposit the ballot in the ballot box in full view of the elector and all others present.
Improper folding	(3) If the ballot paper has not been properly folded so as to permit the deputy returning officer to ascertain that it is the same ballot paper that was given to the elector, the deputy returning officer shall return it to the elector and instruct the elector on how to properly fold it.
Leaving voting station	56. Subject to section 57, an elector who has voted shall leave the polling station.
Assistance to elector	57. (1) A deputy returning officer may authorize an elector to have a friend who meets the requirements set out in subsection (2) accompany the elector into the voting compartment and assist the elector by marking

the ballot in the manner directed by the elector where the elector is unable to vote in the manner set out in section 55.

(2) For the purposes of this section, the friend of the elector who requires assistance to vote shall

- (a) also be an elector in the municipality; and
- (b) at the request of the deputy returning officer, make and sign a statutory declaration in the form approved by the Minister declaring that he or she is the friend of the elector for the purposes of subsection (1).

(3) Where an elector who requires assistance to vote as set out in subsection (1) is not accompanied by a friend, the deputy returning officer may accompany the elector into the voting compartment and assist the elector by marking the elector's ballot paper in the manner directed by the elector.

(4) No person other than the deputy returning officer may act as a friend of more than one elector for the purpose of marking a ballot paper.

(5) Where an elector's ballot paper is marked as provided in subsection (1) or (3), the poll clerk shall enter in the election record, in addition to any other required entry,

- (a) the reason why the ballot paper was marked in that manner; and
- (b) a record of any statutory declarations made and signed respecting clause (a).

58. Where an elector has made a mistake or dealt with a ballot paper so that it is unusable,

- (a) the elector shall return the ballot paper to the deputy returning officer; and
- (b) the deputy returning officer shall
 - (i) without showing it to any other person, write the word "cancelled" on it,
 - (ii) place it in the envelope for cancelled ballot papers, and
 - (iii) deliver another ballot paper to the elector.

59. (1) Where an elector applies for a ballot paper in a name and address which corresponds so closely with a name and address on the official list that it appears probable to the deputy returning officer that the entry in the official list was intended to refer to that elector, the elector may receive a ballot paper and vote, if the elector makes and signs a statutory declaration, in the form approved by the Minister, declaring that

- (a) the elector is in fact the elector whose name appears on the official list of electors; and
- (b) the elector has not already voted.

(2) The voting poll clerk shall enter in the election record

- (a) the correct name and address of the elector; and

Requirements

Assistance by
deputy returning
officer

Prohibition

Entry in election
recordCancelled ballot
paperDiscrepancy with
official listEntry in election
record

(b) a note that the elector completed the statutory declaration referred to in subsection (1).

Name struck out in error **60.** (1) An elector whose name appears to have been struck out in error may receive a ballot paper and vote if the elector makes and signs a statutory declaration, in the form approved by the Minister, declaring that

- (a) the elector is the person whose name has been struck out; and
- (b) the elector has not already voted.

Entry in election record (2) The poll clerk shall enter in the election record that the elector

- (a) voted on a second ballot paper issued under the same name; and
- (b) completed the statutory declaration referred to in subsection (1).

Voting after closing hour of polling station **61.** (1) At the hour for the closing of the polling station, the deputy returning officer shall

- (a) make a list of the names of all electors who are then in or actually present at and awaiting admission to the polling station; and
- (b) keep the polling station open a sufficient time to enable the electors whose names are on the list referred to in clause (a) to vote.

Prohibition (2) No elector, other than those whose names are on the list referred to in clause (1)(a), shall be permitted to vote after the closing hour of the polling station.

Division 3 - Mobile Polling Stations

Contents of bylaw **62.** (1) Where, pursuant to section 48 of the Act, a council of a municipality enacts a bylaw to provide for a mobile polling station as an alternative means of voting for an elector who is a resident or patient of a health care facility and is physically incapable of attending at the polling station where the elector is entitled to vote, the bylaw shall establish or provide for, at a minimum,

- (a) the health care facilities where a mobile polling station will be provided;
- (b) the appointment of two election officials to conduct the voting process at the mobile polling station;
- (c) the time that voting will be conducted at the mobile polling station;
- (d) the manner of voting at the mobile polling station including, where necessary, the moving of the ballot box and ballot papers from room to room while ensuring the secrecy of the vote by each elector; and
- (e) the counting of the ballots from voting at the mobile polling station.

Voting procedure (2) The procedure for marking a ballot paper for an elector at a mobile polling station who is unable to mark the ballot paper personally shall be that set out in subsections 57(3), (4) and (5).

Division 4 – Alternative Voting Methods

63. Where, pursuant to section 49 of the Act, a council of a municipality enacts a bylaw that enables electors to vote by means of voting machines, vote recorders or automated or electronic voting systems or other methods, the bylaw shall, at a minimum,

Alternative voting
methods

- (a) specify the alternative voting methods enabled by the bylaw;
- (b) require notice to electors that alternative voting methods have been enabled and the requirements an elector shall meet in order to vote by the alternative voting methods;
- (c) provide for a personal identification number or another security measure for each registered elector;
- (d) specify the proof of identity that an elector is required to provide in order to vote by the alternative method;
- (e) specify the security protocols to be established to ensure the integrity of the alternative voting method;
- (f) specify how and when the votes are to be counted and reported; and
- (g) provide for an audit to ensure the integrity of the alternative voting method.

PART VII - COUNTING OF VOTES

Division 1 – Counting Procedures

64. (1) In each polling station at the close of the voting the deputy returning officer shall carry out the functions specified in subsection (2) in the presence of the poll clerk and the candidates or, subject to subsection (7), their agents, and if neither the candidates nor their agents are present, then in the presence of at least two witnesses.

Persons required to
be present

(2) The deputy returning officer shall

- (a) seal the opening in the top of the ballot box with a seal and, together with the poll clerk, write his or her initials across the seal;
- (b) count the number of voters recorded in the election record as having voted, and record this number in
 - (i) the election record, and
 - (ii) the statement of the vote;
- (c) open the envelope containing the cancelled ballot papers and
 - (i) count them,
 - (ii) mark the number on the front of the envelope,
 - (iii) replace them in the envelope, seal it and initial it, and
 - (iv) record this number in the statement of the vote; and
- (d) open the envelope containing the unused ballot papers and
 - (i) count them,
 - (ii) mark the number on the front of the envelope,
 - (iii) place them, with all used ballot booklets, in the envelope, and seal it and initial it, and
 - (iv) record this number in the statement of the vote.

Duties of deputy
returning officer

Opening ballot boxes	(3) After completing the requirements set out in subsection (2), the deputy returning officer shall, in the presence and in full view of the poll clerk, candidates and agents or witnesses who are present, (a) open each ballot box used at the polling station one at a time and proceed to separate the ballots according to the subject matter of the voting; and (b) subject to sections 66 to 67, count the votes in accordance with subsections (4) and (5).
Order of counting	(4) The order in which the ballots shall be counted is as follows: (a) ballots for the election of a mayor; (b) ballots for the election of a councillor; (c) ballots for any other matter in the counting order established by the returning officer.
Restriction	(5) No succeeding ballots shall be counted until the preceding ballots have been counted and the statement of the vote has been completed in respect of them.
Tallying the vote	(6) The deputy returning officer shall (a) give a blank tally sheet to the poll clerk and to at least two other persons present; and (b) after each person present is given a full opportunity to examine, but not handle, a ballot, (i) decide whether the ballot should be rejected under section 65 or 66, or counted, and (ii) if the ballot is to be counted, call out the vote and have it entered on the tally sheets.
Maximum of two agents	(7) Not more than two agents for each candidate may be present during the counting of the ballot papers and votes.
Rejection of ballot	65. (1) When counting the votes, the deputy returning officer shall reject and place in an envelope for rejected ballots any ballot (a) that was not supplied by the deputy returning officer; (b) that is not marked for any candidate; (c) that is marked for more candidates than there are vacant offices; (d) that is marked so as to render it uncertain for which candidate the voter has voted; or (e) on which there is any writing or mark by which the voter can be identified.
Exceptions	(2) Notwithstanding subsection (1), no ballot paper shall be rejected by reason only that (a) it has on it any writing, number or mark placed on it by the deputy returning officer; or (b) it has been marked with a writing instrument other than a black lead pencil or with a mark other than an “X” or a check mark, if the mark does not constitute identification of the voter.

66. If, during the counting of the votes, a candidate or an agent of a candidate who is present objects to any ballot, the deputy returning officer shall hear and decide every question arising out of the objection, and the deputy returning officer's decision shall be final.

Objection to ballot

67. (1) When, in the course of counting the ballots, the deputy returning officer finds a ballot with the counterfoil attached, the deputy returning officer shall, without examining it, remove and destroy the counterfoil and, subject to section 65, count the vote on ballot.

Ballot with
counterfoil attached

(2) When, in the course of counting the ballots, the deputy returning officer finds a ballot without his or her initials affixed to it, the deputy returning officer shall, if satisfied that the ballot is one that was supplied by him or her,

Ballot without
initials

- (a) initial the ballot; and
- (b) subject to section 65, count the vote on the ballot.

68. (1) After counting the votes, the deputy returning officer shall complete the entries on the statement of the vote and ensure that the poll clerk and at least two witnesses sign it.

Completion of
entries

(2) The deputy returning officer shall, according to the subject matter of the voting,

Handling of ballots

- (a) where the ballots are to be marked for only one candidate or matter, place the ballots that are marked for each candidate or matter in separate envelopes;
- (b) where the ballots are to be marked for more than one candidate or matter, place the ballots in one envelope;
- (c) place all rejected ballots in a separate envelope;
- (d) write on each envelope the contents and number of ballots enclosed and sign and seal the envelopes; and
- (e) instruct the poll clerk and at least two witnesses to sign each envelope across the flap of the envelope in such a way that the envelopes cannot be opened without disturbing the signatures.

(3) The deputy returning officer shall place all the envelopes containing the ballots that have been counted, the ballots that have been rejected, the unused ballot papers, the cancelled ballot papers, and the tally sheets in the ballot box and shall seal the ballot box and sign across the seal in such a way that the ballot box cannot be opened without disturbing the signature.

Sealing ballot box

(4) The deputy returning officer shall place the list of electors, the statement of results of voting and the election record in a document envelope, sign and seal the documents envelope and ensure that the poll clerk and at least two witnesses sign across the flap of the envelope in such a way that the envelope cannot be opened without disturbing the signatures.

Sealing document
envelope

Reopening of ballot box	(5) If for any reason the ballot box is required to be opened by the deputy returning officer after it has been sealed and before it is delivered to the returning officer, the deputy returning officer shall open the ballot box only in the presence of the poll clerk and any other persons who were present when the ballot box was sealed, and shall then reseal the ballot box in their presence and deliver it in accordance with subsection (6).
Delivery of ballot box and document envelope	(6) After counting the votes and sealing the ballot box, the deputy returning officer shall immediately deliver the ballot box and the document envelope to the returning officer.
Delivery by poll clerk	(7) If, owing to illness or other cause, the deputy returning officer is unable to deliver the ballot box and document envelope to the returning officer, the deputy returning officer shall instruct the poll clerk to do so, and the poll clerk shall deliver them to the returning officer.
Duty of returning officer	69. (1) The returning officer shall ensure that no other person has access to any ballot box in his or her care.
Opening of ballot box	(2) If for any reason the ballot box is required to be opened by the returning officer after it has been delivered to him or her under subsection 68(6) or (7), the returning officer shall, in the presence of at least two witnesses, reseal the ballot box and sign across the seal in such a way that the box cannot be opened without disturbing the signature.
Recap sheet	70. (1) The returning officer shall prepare and sign a recap sheet containing a summary of the statements of the vote from the polling stations and for that purpose may unseal the document envelope and examine the documents.
Addition to document envelope	(2) The returning officer shall add the completed and signed recap sheet to the documents envelope with all of the statements of the vote, seal the envelope and sign across the flap of the envelope in such a way that the envelope cannot be opened without disturbing the signature.
Delivery to municipal electoral officer	71. (1) The returning officer shall deliver the ballot boxes and document envelope to the municipal electoral officer no later than 9 a.m. on the second day after election day.
Delivery of statement and summary	(2) Within 24 hours of the closing of the polling stations, the returning officer shall deliver a copy of the statements of the vote and the recap sheets to each candidate.

Division 2 – Duties of Municipal Electoral Officer

Verification of results	72. (1) The verification of the votes shall be conducted by the municipal electoral officer at the office commencing no later than 10 a.m. on the second day after election day.
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(2) For the verification of the votes, the municipal electoral officer shall, in the presence of the deputy municipal electoral officer, ascertain the number of votes cast for each candidate in each polling station in the polling divisions by obtaining information

Procedure

- (a) from all the recap sheets and statements of the vote enclosed in the document envelopes;
- (b) from the information respecting the voting in the election record if the statement of the vote in a document envelope is missing; or
- (c) from any other evidence the municipal electoral officer is able to obtain.

73. Where the statement of the vote cannot be obtained for a polling station, the municipal electoral officer may ascertain the number of votes cast for each candidate

Evidence of votes cast

- (a) from the endorsements on the envelopes containing the ballots cast for each candidate;
- (b) from the deputy returning officer, poll clerk, candidate or agent; or
- (c) from any other evidence the municipal electoral officer is able to obtain.

74. If a ballot box has been opened for the purpose of ascertaining the number of votes cast for the candidates under clause 73(a), the municipal electoral officer shall, on returning the documents to the ballot box, seal the ballot box and, together with the deputy municipal electoral officer, sign across the seal in such a way that the ballot box cannot be opened without disturbing the seal.

Opening of ballot box by municipal electoral officer

75. (1) At the conclusion of the verification of the votes, the municipal electoral officer shall

Duty of municipal electoral officer

- (a) verify or correct and initial the statements of the vote or, where there is more than one polling division in the municipality, the recap sheets; and
- (b) immediately notify the candidates and the chief administrative officer of any correction.

(2) At the end of the period specified for a recount under subsection (3) or a judicial review under section 54 of the Act, the municipal electoral officer shall

Information to chief administrative officer

- (a) provide a statement to the chief administrative officer of how the number of votes cast for each candidate at a polling station was ascertained if a statement of the vote was not obtained for that polling station; and
- (b) provide all reports required under the municipal electoral bylaw relating to the administration of the conduct of the voting in the polling divisions to the chief administrative officer.

Request for recount	(3) A request for a recount pursuant to clause 53(5)(b) of the Act shall be made to the municipal electoral officer by noon on the first Friday following the election.
Notification of recount	(4) Where, pursuant to subsection 53(5) of the Act, a recount is required or requested, the municipal electoral officer shall provide notification of the date, time and place of the recount to the candidates.
Recount by municipal electoral officer	76. (1) Where a recount of the ballots is required or requested under subsection 53(5) of the Act, the municipal electoral officer shall, in the presence of the deputy municipal electoral officer, recount the ballots no later than 4 p.m. on the first Monday following the election.
Other persons may be present	(2) The candidates or one agent for each candidate are entitled to be present for the recounting of the ballots.
Other witnesses required	(3) If no candidates or agents are present, the recount may proceed if at least two witnesses are present in addition to the municipal electoral officer and the deputy municipal electoral officer.
Manner of counting	(4) The ballots for each poll shall be counted in the same manner as at the voting station as set out in sections 64 to 67.
Examination by candidates, etc.	(5) Candidates and agents may examine but not touch the ballots.
Duty of municipal electoral officer	(6) The municipal electoral officer shall verify or correct (a) the statements of the vote or, where there is more than one polling division in the municipality, the recap sheets; and (b) the number of votes cast for each candidate.
Security of ballots	(7) Upon the completion of the recount, the municipal electoral officer shall seal the ballots and ballot papers in their respective envelopes and sign across the seal on each envelope in such a way that the envelope cannot be opened without disturbing the seal.

Division 3 – Judicial Review

Judicial review	77. Where, under section 54 of the Act, a judicial review is required or requested, the Chief Judge may assign a provincial court judge to review all rejected ballots.
Notice of time and place	78. The provincial court judge shall give notice to the municipal electoral officer, deputy municipal electoral officer and the candidates who may be affected by the result of the review, of the time and place where the review of the rejected ballots will occur.
Duty of municipal electoral officer, etc.	79. The municipal electoral officer and the deputy municipal electoral officer shall attend at the place of the review with the rejected ballots and the statements of the vote or recap sheets, as the case may be.

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- 80.** (1) The municipal electoral officer and deputy municipal electoral officer shall be present at the review of rejected ballots and final addition by the provincial court judge. Requirement to be present
- (2) Each candidate and no more than one agent appointed by each candidate shall be entitled to attend at the judicial review and final addition. Presence of candidate, etc.
- (3) No other person shall be present at the review and final addition except with the permission of the judge. Prohibition
- 81.** At the time and place appointed and in the presence of the persons referred to in section 80, the judge shall review the rejected ballots and make a final addition from the statements of the vote or recap sheets and shall for that purpose open the sealed envelopes containing the rejected ballots. Duty of judge
- 82.** The judge shall review the rejected ballots for each polling station and shall verify or correct the statement of the vote or recap sheets, as the case may be, with the number of votes cast for each candidate. Review by polling station
- 83.** (1) Upon completion of the judicial review, the judge shall immediately Result of judicial review
- (a) certify the result of the judicial review of rejected ballots;
 - (b) certify the final decision recount and final addition of votes;
 - (c) provide that information to the municipal electoral officer; and
 - (d) seal the rejected ballots in their respective envelopes.
- (2) Upon receipt of the information referred to in clause (1)(c), the municipal electoral officer shall declare elected the candidate having the highest number of votes. Declaration by municipal electoral officer
- 84.** Where, after the completion of the judicial review and final addition of the votes, the judge finds an equality of votes between candidates, the judge shall report that finding to the municipal electoral officer, who shall then proceed in the manner set out in subsection 54(4) of the Act. Equality of votes
- 85.** (1) The municipal electoral officer shall, on proclaiming any member elected to serve on the council of the municipality, immediately notify the chief administrative officer of the name of the elected candidate. Notification of chief administrative officer
- (2) The chief administrative officer shall, within 10 days after being notified under subsection (1) respecting the elected candidates, provide to the Minister, on the form approved by the Minister, an election summary report that includes Report by chief administrative officer
- (a) the names of the candidates for mayor and members of council;
 - (b) the votes cast for each candidate;
 - (c) the name and address of the candidate elected or acclaimed as mayor; and

(d) the name and address of each candidate elected or acclaimed as a member of council.

Division 4 – Court Order

Order for inspection **86.** Where, pursuant to subsection 55(3) of the Act, the court grants an order for the inspection or production of ballot boxes and documents related to the election, the court may make the order subject to any conditions as to persons, time, place and mode of inspection or production as the court thinks expedient.

PART VIII - ELECTION ADMINISTRATION

Division 1 - Handling, Destruction and Retention of Ballots, Etc.

Destruction of ballots, etc. **87.** (1) The municipal electoral officer may, at any time after the expiration of the retention period referred to in section 54(5) of the Act, destroy the ballot box, the ballots and any documents related to the counting of ballots.

Delivery of documents to chief administrative officer (2) The municipal electoral officer shall, immediately after the retention period referred to in subsection (1), deliver the writ of election, statements of the vote and recap sheets, as the case may be, to the chief administrative officer.

Retention of records (3) The chief administrative officer shall retain the documents referred to in subsection (2) in accordance with any municipal bylaw respecting the retention of records.

Division 2 – Administrative Matters

Fees and expenses **88.** A council of a municipality may by resolution
 (a) make a schedule of fees and expenses to be paid to any person for his or her services and expenses incurred relating to an election under the Act or these regulations; and
 (b) revise and amend the schedule referred to in clause (a) as required.

Report by municipal electoral officer **89.** The municipal electoral officer shall, within 90 days after the date of an election, provide a report to council respecting
 (a) any matter which has occurred in connection with the administration of the election process which the municipal electoral officer considers should be brought to the attention of council; and
 (b) any procedural changes which would, in the opinion of the municipal electoral officer, improve the administration of the election process.

Notice to public **90.** Where the municipal electoral officer or the returning officer is by the Act or these regulations authorized or required to give notice to the public and no special mode of notification is provided, the notice may be

given by any means of communication that in the opinion of the election officer responsible will best effect the intended purpose.

PART IX - COMMENCEMENT

91. These regulations come into force on December 23, 2017.

Commencement

EXPLANATORY NOTES

SECTION 1 establishes definitions for the purposes of the regulations.

SECTION 2 provides that if a council has not divided its municipality into wards for the purposes of an election or by-election, it is deemed to be a single ward.

SECTION 3 authorizes a council to commence the election process by resolution or by issuing a writ of election.

SECTION 4 authorizes the municipal electoral officer, in the specified circumstances, to adjourn the date of an election to the next calendar day that is not a holiday, and specifies the notice that must be given to the public respecting the adjournment.

SECTION 5 clarifies that the date a council chooses for a by-election pursuant to subsection 60(1) of the Act must be a Monday, and provides that the by-election must be conducted as nearly as practicable in accordance with the rules governing elections.

SECTION 6 requires the municipal electoral officer to establish as many polling divisions in each ward as the municipal electoral officer considers necessary based on the specified criteria and to prepare and post a map of the boundaries of each polling division in the election office not less than 24 days before election day.

SECTION 7 authorizes the municipal electoral officer to correct and otherwise revise the map of a polling division, and requires the municipal electoral officer to post the revised map in the election office within 24 hours of the revision.

SECTION 8 establishes the duties, authority and powers of the municipal electoral officer, specifies the limits of those powers, states that the municipal electoral officer is accountable to the council, and prohibits the municipal electoral officer being appointed or acting as a returning officer. The section also authorizes the municipal electoral officer to delegate powers or duties to other election officials, with specified exceptions.

SECTION 9 authorizes the deputy municipal electoral officer to carry out the duties of an election clerk or poll clerk, and if no one has been appointed to fill those positions, requires the deputy municipal electoral officer to perform those duties. The section also provides that the named election officials have the power to ask the questions and receive and witness the declarations or oaths that are authorized to be asked of and made by electors.

SECTION 10 requires the municipal electoral officer to open and maintain an election office in the municipality and provide public notice of the location and hours of the election office.

SECTION 11 requires that the election office be open to the public as specified during the period from the fourth Tuesday before election day until the election is concluded, and during the hours specified on nomination day, during the advance poll and on election day.

SECTION 12 requires the municipal electoral officer to appoint a returning officer to administer the election. The chief administrative officer of a municipality is not eligible to be appointed as a returning officer. The section also authorizes the municipal electoral officer to remove a returning officer who is unable to act or who fails to perform the duties of the office satisfactorily, and requires a returning officer who is unable to act to notify the municipal electoral officer of that fact immediately.

SECTION 13 authorizes the returning officer to appoint an election clerk to assist the returning officer. The spouse, parent, child or sibling of the returning officer is not eligible to be appointed as election clerk for that returning officer. The election clerk may act in place of the returning officer in the specified circumstances.

SECTION 14 authorizes the returning officer to appoint deputy returning officers and poll clerks for each polling division not later than 14 days before election day, and sets out the procedure where there is only one polling station in the municipality.

SECTION 15 authorizes the returning officer to appoint an information officer to provide information to electors and to maintain peace and order at a polling station.

SECTION 16 requires the returning officer and other election officials to make and sign declarations as specified.

SECTION 17 provides that an election official holds office until the official results of the election are declared, or the official is dismissed by the person who appointed him or her, whichever occurs first.

SECTION 18 provides that each specified election official must be either a resident of the province or, in the case of the Resort Municipality, qualified as an elector.

SECTION 19 sets out the required content of a council's bylaw relating to the enumeration of electors, including specifying the personal information to be collected and recorded in respect of each potential elector. The section also establishes that it is the municipal electoral officer's responsibility to oversee the work of the enumerators, to assign a unique identification number to each elector and to correct any errors of a clerical nature on the enumeration record.

SECTION 20 sets out the required content of a council's bylaw relating to registration of electors, including specifying the sources of information that may be used to establish and maintain the register of electors, specifying the information to be included in the register in respect of each elector, and requiring the bylaw to specify the person responsible for maintaining the register at any time when no municipal electoral officer is appointed.

SECTION 21 provides that personal information collected in either the enumeration process or the registration process shall be used only for the purpose for which it was collected and shall be disclosed only to the Chief Electoral Officer of the province for a purpose for which the Chief Electoral Officer has responsibility under an enactment.

SECTION 22 requires the municipal electoral officer to prepare preliminary lists of electors for each polling division, using the information collected under section 19 or 20 or the list of electors obtained from the Chief Electoral Officer under subsection 41(2) of the Act, and to provide the lists to the returning officer. The returning officer is required to provide the lists to each of the officially nominated candidates. The preliminary and the official lists of electors shall contain only the name, civic address and unique identification number for each elector. Until 11:59 p.m. on the 13th day before election day, the municipal electoral officer is required to revise the preliminary list as necessary and to indicate on the list all additions, deletions and changes.

SECTION 23 provides that at 12:00 noon on the 13th day before election day the preliminary list, and all the changes made to it by the municipal electoral officer, become the official list. The municipal electoral officer is required to provide the returning officer with copies of the official list, and the returning officer is required to distribute them to the deputy returning officers for use at the polling stations and to each officially nominated candidate. After this point, the name of an eligible elector may be added to the official list only prior to voting at the polling station during the advance or regular voting.

SECTION 24 authorizes the municipal electoral officer to provide additional polling stations for a large polling division, and requires the municipal electoral officer to divide the official list of electors for the polling division accordingly.

SECTION 25 specifies the content of the notice respecting nomination proceedings that the municipal electoral officer is required to publish for the purpose of section 42 of the Act, and specifies the means of publication of the notice.

SECTION 26 sets out the requirements for the nomination of candidates. Any five or more qualified electors may nominate a candidate. The nomination must be in writing and must be filed with the municipal electoral officer or the returning officer at the election office during the hours specified. If the council has passed a bylaw requiring a deposit to be paid by a candidate, the deposit must be paid at the time of filing. A council is also authorized to require a higher number of nominators, not to exceed ten. In either case, if the candidates are nominated by ward, the nominators must be residents of the ward for which they are nominating the candidate.

SECTION 27 provides that a candidate may be nominated for the position of councillor or mayor but not both.

SECTION 28 clarifies that a nomination paper is not invalid in the specified circumstances.

SECTION 29 requires the municipal electoral officer or the returning officer to review each nomination paper to determine whether it complies with the Act and the regulations and, if so, to sign it as proof that the candidate has been officially nominated, and, if the candidate is required to pay a deposit, to give a receipt for the deposit and turn it over to the chief administrative officer.

SECTION 30 provides that up to the 2 p.m. deadline on nomination day, a candidate may, in writing, direct the municipal electoral officer to change the particulars of the candidate's name and address on the nomination paper, and requires the municipal electoral officer to make the change if satisfied that the changed particulars correspond to those by which the candidate is known in the ward.

SECTION 31 provides for the chief administrative officer to return the deposit to a candidate who has paid it and has completed and filed a campaign disclosure statement pursuant to section 36 of the Act.

SECTION 32 provides for the withdrawal of an officially nominated candidate and clarifies the effect of the withdrawal at different stages of the election process.

SECTION 33 clarifies the effect of the death of an officially nominated candidate on the election process.

SECTION 34 specifies the notice requirements for an extension of the nomination period pursuant to subsection 44(3) of the Act.

SECTION 35 authorizes a candidate to appoint an agent or agents to represent the candidate during the election process, subject to a maximum of two agents at a polling station, and clarifies the effect of the absence of a candidate or agent at a time or place where the candidate or agent is permitted to be present during the election process.

SECTION 36 specifies the notice and publication requirements where an election is required to be held pursuant to subsection 44(8) of the Act.

SECTION 37 requires the municipal electoral officer, where an election is required to be held pursuant to subsection 44(8) of the Act, to publish a notice containing the specified election information by the means specified in the section.

SECTION 38 requires the municipal election officer, where an election is required to be held, to arrange for the printing of ballot papers that meet the requirements specified in the section.

SECTION 39 requires the municipal electoral officer to ensure that ballot boxes that meet the requirements of the section are provided for each polling station.

SECTION 40 provides that the deputy returning officer is responsible for election materials and supplies received at a polling station and must prevent any unauthorized person from having access to them.

SECTION 41 authorizes the municipal electoral officer to direct the returning officer at any time to secure accessible premises for use as a polling station, and requires the returning officer to provide a list of the polling stations to the municipal electoral officer. If it proves impracticable to hold the voting at a polling station, the returning officer is required to designate another location as a polling station and to provide adequate notice of the change of location.

SECTION 42 requires the returning officer to ensure that each polling station contains a voting compartment to provide privacy for the electors and that throughout election day the compartment contains a table or desk and a properly sharpened pencil.

SECTION 43 provides for the establishment of advance polls to allow electors to vote in advance of election day. The advance poll must be

open for at least three hours on a date no later than the Saturday before election day. The council may by bylaw establish additional days and times for the advance poll. Subject to the changes set out in the Division, voting at the advance poll must be conducted in the same manner as the voting on election day.

SECTION 44 provides special rules respecting eligibility to vote at an advance poll in an ordinary municipality and in the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico.

SECTION 45 specifies the procedure to be followed at an advance poll if the elector's name is not on the official list of electors.

SECTION 46 requires the deputy returning officer to ensure that no unauthorized person has access to the ballot box at the advance poll.

SECTION 47 specifies the procedure to be followed by the poll clerk and the deputy returning officer at the close of the advance poll.

SECTION 48 specifies the requirements that must be met by a municipal election bylaw that provides for voting by means of mail-in ballots. The returning officer is responsible for administering the mail-in ballot process, and it is the responsibility of the elector to ensure that he or she completes the steps in the process within the time permitted. Once a mail-in ballot has been issued to an elector, that elector is not permitted to vote by any other means. The list of names of electors who applied for and were issued mail-in ballots must be provided to the poll clerk at each polling station and, on request, to the candidates and their agents.

SECTION 49 specifies the hours during which polling stations must be open on election day and requires the deputy returning officers to take the votes of electors during that time.

SECTION 50 provides that the only persons who are permitted to remain in a polling station are the authorized election officers, the candidates and one agent for each candidate, and anyone who has been authorized in writing by the municipal electoral officer to be present.

SECTION 51 specifies the procedures to be followed by the deputy returning officer at a polling station prior to the opening of the polling station on election day. The instructions for electors must be posted in the voting compartment, the ballot papers must be counted, and the empty ballot box must be sealed in accordance with the section.

SECTION 52 provides that a person is not permitted to vote at a polling station on election day if the person has previously voted at an advance poll or has been issued a mail-in ballot, or if the person's name is not on

the official list and the person refuses to make the statutory declaration required under section 53.

SECTION 53 specifies the procedures to be followed by the deputy returning officer and poll clerk in admitting persons to the polling station and ensuring that they are qualified electors, including the requirements for identification and procedures for adding the name of an elector to the official list where necessary.

SECTION 54 specifies the procedures to be followed by the deputy returning officer in providing a ballot paper to an elector.

SECTION 55 specifies the procedures to be followed by an elector in marking and handling the ballot paper, and by the deputy returning officer on receiving the elector's marked ballot paper.

SECTION 56 requires an elector who has voted to leave the polling station, unless the elector is also assisting another elector in accordance with section 57.

SECTION 57 provides that a deputy returning officer may authorize an elector to be assisted by a friend, who is also an elector, in marking a ballot paper, and sets out the process to be followed. The deputy returning officer also may assist an elector who needs help in marking a ballot paper but is not accompanied by a friend. Only the deputy returning officer may assist more than one elector.

SECTION 58 provides the process for dealing with a spoiled ballot paper. The elector must return the ballot paper to the deputy returning officer, who must write "cancelled" on it, place it in the envelope reserved for cancelled ballot papers without showing it to anyone else and give another ballot paper to the elector.

SECTION 59 provides a process for the deputy returning officer to follow in the event that an elector's name and address corresponds closely to a name and address on the official list, but is not exactly the same. The elector is required to make and sign a statutory declaration that the elector is the elector whose name appears on the list and that the elector has not already voted.

SECTION 60 provides a process for the deputy returning officer to follow in the event that an elector's name appears to have been struck out on the official list in error. The elector is required to make and sign a statutory declaration that the elector is the elector whose name was struck out and that the elector has not already voted.

SECTION 61 specifies the procedure to be followed at closing time at the polling station if some electors are still waiting to vote.

SECTION 62 specifies the requirements that must be met by a municipal election bylaw that provides for voting by means of a mobile polling station.

SECTION 63 specifies the requirements that must be met by a municipal election bylaw that provides for voting by means of voting machines, vote recorders or automated or electronic voting systems or other methods.

SECTION 64 provides the procedures to be followed by the deputy returning officer in counting the votes after the closing of the polling station.

SECTION 65 specifies the procedure to be followed by the deputy returning officer, and the conditions that must be met, in rejecting a ballot.

SECTION 66 authorizes the deputy returning officer to hear and decide an objection to a ballot by a candidate or an agent during the counting of the votes. The decision of the deputy returning officer is final.

SECTION 67 specifies the procedure to be followed if the deputy returning officer finds a ballot with its counterfoil still attached, or a ballot that does not bear the initials of the deputy returning officer, during the counting of the votes.

SECTION 68 specifies the procedure to be followed by the deputy returning officer after the completion of the counting of the votes, including completing the statement of the vote and the proper handling of the ballots, ballot boxes and other election materials that the deputy returning officer is required to deliver to the returning officer.

SECTION 69 requires the returning officer to ensure that no other person has access to the ballot box while it is in his or her care and, if the returning officer has reason to open the ballot box, specifies how the ballot box must be resealed.

SECTION 70 requires the returning officer to prepare and sign a recap sheet that summarizes the statements of the vote from the polling stations, add it to the documents envelope and seal the envelope.

SECTION 71 requires the returning officer to deliver the ballot boxes and document envelope to the municipal electoral officer no later than 9 a.m. on the second day after election day.

SECTION 72 requires the municipal electoral officer to conduct the verification of the votes no later than 10 a.m. on the second day after election day, and sets out the procedure to be followed.

SECTION 73 authorizes the municipal electoral officer, if the statement of the vote cannot be obtained for a polling station, to ascertain the number of votes cast for each candidate from the endorsements on the ballot envelopes, from the deputy returning officer, poll clerk, candidate or agent who was present at the polling station, or from any other evidence that the municipal electoral officer is able to obtain.

SECTION 74 requires the municipal electoral officer, if a ballot box has been opened in order to ascertain the number of votes cast for a candidate under section 73, to return the documents to the ballot box and reseal the ballot box.

SECTION 75 requires the municipal electoral officer, at the conclusion of the verification of the votes, to verify or correct the number of votes cast for each candidate and notify the candidates and the chief administrative officer of any correction. The municipal electoral officer is required to make other reports to the chief administrative officer at the end of the periods specified for a request for a recount or judicial review.

SECTION 76 provides the procedure to be followed by the municipal electoral officer to recount the ballots where required or requested to do so under subsection 53(5) of the Act.

SECTION 77 provides that the Chief Judge of the Provincial Court may assign a judge of that court to conduct a judicial review of rejected ballots for the purposes of section 54 of the Act.

SECTION 78 requires the provincial court judge to provide notice as specified of the time and place where the review will be conducted.

SECTION 79 requires the municipal electoral officer and the deputy municipal electoral officer to attend the judicial review with the specified documents.

SECTION 80 specifies the persons who are permitted or required to be present at the judicial review.

SECTION 81 sets out the duty of the provincial court judge in conducting the review.

SECTION 82 specifies that the judge must review the rejected ballots for each polling station and verify or correct the statement of the vote or the recap sheet, as the case may be.

SECTION 83 specifies the procedure to be followed by the judge and the municipal electoral officer at the completion of the judicial review.

SECTION 84 specifies the procedure to be followed if, after the judicial review, the judge finds there is still an equality of votes between candidates.

SECTION 85 requires the municipal electoral officer to notify the chief administrative officer immediately on proclaiming any member elected to serve on the council, and requires the chief administrative officer to provide an election summary report to the Minister within 10 days of that notification.

SECTION 86 provides that where the court grants an order pursuant to subsection 55(3) of the Act for the inspection or production of ballot boxes or documents, the court may make the order subject to any conditions as to persons, time, place and mode of inspection or production as the court thinks expedient.

SECTION 87 provides for the handling, delivery, retention and eventual destruction of ballots, ballot boxes and other election documents and materials.

SECTION 88 authorizes a council by resolution to make a schedule of fees and expenses to be paid to persons for services rendered in relation to an election.

SECTION 89 requires the municipal electoral officer to provide a report to council within 90 days after the date of an election respecting any matter that the municipal electoral officer considers should be brought to council's attention, including procedural changes to improve the administration of the election process.

SECTION 90 provides that where the municipal electoral officer or the returning officer is required to provide notice to the public, and no special mode of notification is specified, the notice may be given by any means of communication that in the election officer's opinion will best effect the intended purpose.

SECTION 91 provides for the commencement of the regulations.

Certified a true copy,

Paul T. Ledwell

Clerk of the Executive Council and Secretary to Cabinet

EC2017-750

**MUNICIPAL GOVERNMENT ACT
PRINCIPLES, STANDARDS AND CRITERIA REGULATIONS**

(Approved by Her Honour the Lieutenant Governor in Council dated December 12, 2017.)

Pursuant to clause 261(1)(a) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1, Council made the following regulations:

PART 1 – DEFINITIONS

1. In these regulations
- | | |
|--|-------------|
| | Definitions |
| (a) “Act” means the <i>Municipal Government Act</i> R.S.P.E.I. 1988, Cap. M-12.1; | Act |
| (b) “Commission” means the Island Regulatory and Appeals Commission established under section 2 of the <i>Island Regulatory and Appeals Commission Act</i> R.S.P.E.I. 1988, Cap. I-11. | Commission |

PART 2 – PRINCIPLES

2. Where a proposal to establish a new municipality or to restructure an existing municipality is initiated pursuant to subsection 15(1) or 15(2) of the Act, the Commission shall consider, in addition to the factors set out in subsection 19(2) of the Act, the following principles in evaluating the proposal:
- | | |
|--|------------------------|
| (a) whether the proposal demonstrates that the municipality has or will have the ability and capacity to meet the immediate and long-term needs of the residents within the boundaries proposed; | Fundamental principles |
| (b) whether the proposed municipality is likely to be financially viable; | |
| (c) whether the proposed municipality has a stable base of economic activity; | |
| (d) whether the proposed municipality will hinder an existing municipality’s ability to expand its boundaries or provide services to its residents; and | |
| (e) whether the proposal demonstrates that the municipality has a vision of the services it intends to provide its residents in the immediate and long term. | |

PART 3 – STANDARDS AND CRITERIA FOR CITIES

3. Where a proposal referred to in section 2 is for the establishment of a new municipality as a city, the Commission shall consider in evaluating the proposal, in addition to the factors referred to in subsection 19(2) of the Act and the principles referred to in section 2, whether the proposal
- | | |
|--|-------------------------|
| | Establishment of a city |
|--|-------------------------|

- (a) satisfies the criteria set out in clause 13(1)(a) of the Act;
- (b) complies with clause 14(a) of the Act;
- (c) complies with clause 14(b) of the Act or, if not, when the proposed municipality will be in compliance;
- (d) complies with clause 14(c) of the Act or, if not, when the proposed municipality will be in compliance;
- (e) complies with section 85 of the Act or, if not, when the proposed municipality will be in compliance;
- (f) includes a financial plan that demonstrates the financial viability of the proposed municipality;
- (g) demonstrates a sufficient economic base by particularizing the public and commercial services within the proposed boundaries, including but not limited to
 - (i) health care services,
 - (ii) recreational facilities,
 - (iii) retail establishments,
 - (iv) tourism establishments, and
 - (v) public administration or private sector office uses;
- (h) demonstrates that the proposed municipality will not hinder another municipality's ability to expand its boundaries or provide services to its residents, taking into consideration factors such as
 - (i) municipal boundary expansion initiatives approved, under consideration, or underway in the other municipality at the time of submission of the proposal, and
 - (ii) existing, approved or planned municipal infrastructure or facilities for provision of services in the other municipality; and
- (i) contains a plan for the services the proposed municipality intends to provide, including, where there is limited central water or sewer service provided within the boundaries, the plan for water and sewer services within the proposed municipality.

Establishment by
amalgamation

4. Where a proposal referred to in section 2 is for the amalgamation of two or more municipalities into one municipality as a city, the Commission shall consider in evaluating the proposal, in addition to the factors referred to in subsection 19(2) of the Act and the principles referred to in section 2,

- (a) the factors referred to in clauses 3(a) to (i); and
- (b) whether the proposal
 - (i) includes a municipal transition plan, which contains but is not limited to measures for the transfer and consolidation of
 - (A) municipal administrations,
 - (B) municipal services, if any, and
 - (C) municipally-owned or operated facilities, if any, and
 - (ii) includes in the financial plan referred to in clause 3(f) information with respect to
 - (A) the transfer of municipal assets, if any,
 - (B) the transfer of municipal debts, if any, and
 - (C) the transfer of municipal reserve funds, if any.

5. Where a proposal referred to in section 2 is for the establishment of a new municipality as a city by the annexation of an unincorporated area, the Commission shall consider in evaluating the proposal, in addition to the factors referred to in subsection 19(2) of the Act and the principles referred to in section 2,

Establishment by
annexation

- (a) the factors referred to in clauses 3(a) to (i); and
- (b) whether the proposal
 - (i) identifies and accounts for physical, environmental, social and economic factors such as
 - (A) physical features,
 - (B) environmental conditions,
 - (C) community establishments, including but not limited to community facilities, institutional uses and public administration offices, and
 - (D) non-residential land uses and the economic base,
 - (ii) includes a process to engage the residents of the proposed municipality in the planning of the future use of the land in the unincorporated area to be annexed,
 - (iii) demonstrates in the financial plan referred to in clause 3(f) that the annexation is likely to enhance the ability of the municipality to provide services, including information respecting
 - (A) the additional costs of administering the unincorporated area and the expected source of the funds to pay the additional costs,
 - (B) the effect of administering the unincorporated area on the financial viability of the proposed municipality,
 - (C) where an expansion of municipal services to the unincorporated area is proposed, a service delivery plan that identifies and addresses the cost, timing and phasing of the services to be provided, and
 - (D) where an expansion of municipal services to the unincorporated area is not proposed, the reasons why an expansion of municipal services is not warranted,
 - (iv) demonstrates the value of the annexation to the residents within the boundaries proposed in a statement of community benefits, which contains but is not limited to
 - (A) the rationale for the boundaries proposed, which considers the location and use of public and commercial services such as health care services, recreational facilities, retail establishments, tourism establishments and public administration or private sector uses,
 - (B) shared needs and common interests that the annexation supports,
 - (C) immediate and long-term benefits to residents of the existing municipality, and
 - (D) immediate and long-term benefits to residents of the unincorporated area, and

(v) includes a statement respecting the expected financial effect of the annexation on the property owners, which contains but is not limited to

- (A) changes to residential and non-residential tax rates in the existing municipality,
- (B) changes to the residential and non-residential tax rates in the unincorporated area,
- (C) the time-frame for implementation of any changes to the existing tax regime, and
- (D) any additional fees or charges resulting from the annexation.

Establishment by
concurrent
amalgamation and
annexation

6. Where a proposal referred to in section 2 is for the establishment of a new municipality as a city by a restructuring of the boundaries of two or more municipalities that includes a concurrent amalgamation and annexation of an unincorporated area, the Commission shall consider in evaluating the proposal, in addition to the factors referred to in subsection 19(2) of the Act and the principles referred to in section 2,

- (a) clauses 3(a) to (e), (g) and (h);
- (b) clause 4(b); and
- (c) subclauses 5(b)(i) to (iv).

Restructuring by
annexation

7. Where a proposal referred to in section 2 is for the restructuring of the boundaries of a city by annexation of an unincorporated area, the Commission shall consider in evaluating the proposal, in addition to the factors referred to in subsection 19(2) of the Act and the principles referred to in section 2,

- (a) clauses 3(h) and (i);
- (b) subclauses 5(b)(i) to (iv); and
- (c) whether the proposal provides evidence that the municipality has the administrative and technical resources to govern the unincorporated area proposed for annexation.

Exception

8. Notwithstanding section 7, where a proposal referred to in section 2 is for the restructuring of the boundaries of a city by annexation of an unincorporated area that consists of twenty or fewer properties, the Commission shall consider in evaluating the proposal whether the proposed restructuring supports ongoing municipal functions, taking into consideration the reasons for the proposal, which may include but are not limited to whether

- (a) the area proposed to be annexed has been identified as suitable and required for the provision of municipal services, infrastructure or facilities;
- (b) the purpose of the proposed annexation is to correct a property line; or
- (c) the municipality has initiated the proposal following a request from the owner or owners of one or more of the properties in the area to be annexed.

PART 4 - STANDARDS AND CRITERIA FOR TOWNS

9. Where a proposal referred to in section 2 is for the establishment of a new municipality as a town, the Commission shall consider, in addition to the factors referred to in subsection 19(2) of the Act and the principles referred to in section 2, in evaluating the proposal, whether the proposal

Establishment of a town

- (a) satisfies the criteria set out in clause 13(1)(b) of the Act;
- (b) complies with clause 14(a) of the Act;
- (c) complies with clause 14(b) of the Act or, if not, when the proposed municipality will be in compliance;
- (d) complies with clause 14(c) of the Act or, if not, when the proposed municipality will be in compliance;
- (e) complies with section 85 of the Act or, if not, when the proposed municipality will be in compliance;
- (f) includes a financial plan that demonstrates the financial viability of the proposed municipality;
- (g) demonstrates a sufficient economic base by particularizing the public and commercial services within the proposed boundaries, including but not limited to
 - (i) health care services,
 - (ii) recreational facilities,
 - (iii) retail establishments,
 - (iv) tourism establishments, and
 - (v) public administration or private sector office uses;
- (h) demonstrates that the proposed municipality will not hinder another municipality's ability to expand its boundaries or provide services to its residents, taking into consideration factors such as
 - (i) municipal boundary expansion initiatives approved, under consideration, or underway in the other municipality at the time of submission of the proposal, and
 - (ii) existing, approved or planned municipal infrastructure or facilities for provision of services in the other municipality, and
- (i) contains a plan for the services the proposed municipality intends to provide, including, where there is limited central water or sewer service provided within the boundaries, the plan for water and sewer services within the municipality.

10. Where a proposal referred to in section 2 is for the amalgamation of two or more municipalities into one municipality as a town, the Commission shall consider in evaluating the proposal, in addition to the factors referred to in subsection 19(2) of the Act and the principles referred to in section 2,

Establishment by amalgamation

- (a) the factors specified in clauses 9(a) to (i); and
- (b) whether the proposal
 - (i) includes a municipal transition plan, which contains but is not limited to measures for the transfer and consolidation of
 - (A) municipal administrations,
 - (B) municipal services, and

- (C) municipally-owned or operated facilities, and
- (ii) includes in the financial plan referred to in clause 9(f) measures for
 - (A) the transfer of municipal assets, if any,
 - (B) the transfer of municipal debts, if any, and
 - (C) the transfer of municipal reserve funds, if any.

Establishment by
annexation

11. Where a proposal referred to in section 2 is for the establishment of a new municipality as a town by the annexation of an unincorporated area, the Commission shall consider in evaluating the proposal, in addition to the factors referred to in subsection 19(2) of the Act and the principles referred to in section 2,

- (a) the factors specified in clauses 9(a) to (i); and
- (b) whether the proposal
 - (i) identifies and accounts for physical, environmental, social and economic factors such as
 - (A) physical features,
 - (B) environmental conditions,
 - (C) community establishments, and
 - (D) non-residential land uses and the economic base,
 - (ii) includes a process to engage the residents of the proposed municipality in the planning of the future use of the land in the unincorporated area to be annexed,
 - (iii) demonstrates in the financial plan referred to in clause 9(f) that the proposed annexation is likely to enhance the ability of the municipality to provide services, including information respecting
 - (A) the estimated additional costs of administering the unincorporated area and the expected source of funds to pay the additional costs,
 - (B) the estimated effect of administering the unincorporated area on the financial viability of the proposed municipality,
 - (C) where an expansion of municipal services to the unincorporated area is proposed, a service delivery plan that identifies and addresses the estimated cost, timing and phasing of the services to be provided, and
 - (D) where an expansion of municipal services to the unincorporated area is not proposed, the reasons why an expansion of municipal services is not warranted,
 - (iv) demonstrates the value of the annexation to the residents within the boundaries proposed in a statement of community benefits which contains but is not limited to
 - (A) the rationale for the boundaries proposed, which considers the location and use of public and commercial services such as health-care services, recreational facilities, retail establishments, tourism establishments and public administration or private sector uses,
 - (B) shared needs and common interests that the annexation supports,

- (C) immediate and expected long-term benefits to residents of the existing municipality, and
- (D) immediate and expected long-term benefits to residents of the unincorporated area, and
- (v) includes a statement of the expected financial effect of the annexation upon the property owners, which contains but is not limited to
 - (A) changes to residential and non-residential tax rates in the existing municipality,
 - (B) changes to the residential and non-residential tax rates in the unincorporated area,
 - (C) the time-frame for implementation of any changes to the existing tax regime, and
 - (D) any additional fees or charges resulting from the annexation.

12. Where a proposal referred to in section 2 is for the establishment of a new municipality as a town by a restructuring of the boundaries of two or more municipalities that includes a concurrent amalgamation and annexation of an unincorporated area, the Commission shall consider in evaluating the proposal, in addition to the factors referred to in subsection 19(2) of the Act and the principles referred to in section 2,

Establishment by
concurrent
amalgamation and
annexation

- (a) clauses 9(a) to (e), (g) and (h);
- (b) clause 10(b); and
- (c) subclauses 11(b)(i) to (iv).

13. Where a proposal referred to in section 2 is for the restructuring of the boundaries of a town by annexation of an unincorporated area, the Commission shall consider in evaluating the proposal, in addition to the factors referred to in subsection 19(2) of the Act and the principles referred to in section 2,

Restructuring by
annexation

- (a) the factors specified in
 - (i) clauses 9(h) and (i), and
 - (ii) subclauses 11(b)(i) to (iv); and
- (b) whether the proposal provides a plan that demonstrates that the municipality will have the administrative and technical resources to govern the unincorporated area proposed for annexation.

14. Notwithstanding section 13, where a proposal referred to in section 2 is for the restructuring of the boundaries of a town by annexation of an unincorporated area that consists of twenty or fewer properties, the Commission shall consider in evaluating the proposal whether the proposed restructuring supports ongoing municipal functions, taking into consideration the reasons for the proposal, which include but are not limited to whether

Exception

- (a) the area proposed to be annexed has been identified as suitable and required for the provision of municipal services, infrastructure or facilities;
- (b) the purpose of the proposal is to correct a property line; or

(c) the municipality has initiated the proposal following a request from the owners of one or more of the properties in the area to be annexed.

PART 5 – STANDARDS AND CRITERIA FOR RURAL MUNICIPALITIES

Restructuring of
rural municipalities
by amalgamation

15. Where a proposal referred to in section 2 for the restructuring of the boundaries of two or more rural municipalities by amalgamation will not result in a municipality that meets the requirements of subsection 13(1) of the Act, the Commission shall consider in evaluating the proposal, in addition to the factors referred to in subsection 19(2) of the Act and the principles referred to in section 2, whether the proposal

- (a) has been approved by the Minister pursuant to subsection 15(3) of the Act;
- (b) complies with clause 14(b) of the Act or, if not, when the proposed municipality will be in compliance;
- (c) complies with clause 14(c) of the Act or, if not, when the proposed municipality will be in compliance;
- (d) complies with section 85 of the Act or, if not, when the proposed municipality will be in compliance;
- (e) includes a municipal transition plan, which contains but is not limited to measures for the transfer and consolidation of
 - (i) municipal administrations,
 - (ii) municipal services, if any, and
 - (iii) municipally-owned or operated facilities, if any;
- (f) includes a financial plan that demonstrates the financial viability of the proposed municipality and contains but is not limited to measures for
 - (i) the transfer of municipal assets, if any,
 - (ii) the transfer of municipal debts, if any, and
 - (iii) the transfer of municipal reserve funds, if any;
- (g) demonstrates a sufficient economic base by particularizing the public and commercial services within the proposed boundaries, including but not limited to
 - (i) health care services,
 - (ii) recreational facilities,
 - (iii) retail establishments,
 - (iv) tourism establishments, and
 - (v) public administration or private sector office uses;
- (h) demonstrates that the proposed municipality will not hinder another municipality's ability to expand its boundaries or provide services to its residents, taking into consideration factors such as
 - (i) municipal boundary expansion initiatives approved, under consideration, or underway in the other municipality at the time of submission of the proposal, and
 - (ii) existing, approved or planned municipal infrastructure or facilities for provision of services in the other municipality; and

- (i) contains a plan for the services the proposed municipality intends to provide, including, where there is limited central water or sewer service provided within the boundaries, the plan for water and sewer service within the municipality.

16. Where a proposal referred to in section 2 for the restructuring of the boundaries of a rural municipality by annexation of an unincorporated area will not result in a municipality that meets the requirements of subsection 13(1) of the Act, Commission shall consider in evaluating the proposal, in addition to the factors referred to in subsection 19(2) of the Act and the principles referred to in section 2,

Restructuring of a
rural municipality
by annexation

- (a) the factors referred to in clauses 15(a) to (i);
- (b) whether the proposal
 - (i) identifies and accounts for physical, environmental, social and economic factors such as
 - (A) physical features,
 - (B) environmental conditions,
 - (C) community establishments, including but not limited to community facilities, institutional uses and public administration offices, and
 - (D) non-residential land uses and the economic base,
 - (ii) includes a process to engage the residents of the proposed municipality in the planning of the future use of the land in the unincorporated area proposed for annexation
 - (iii) demonstrates in the financial plan referred to in clause 15(f) that the annexation is likely to enhance the expanded municipality's ability to provide services, including information respecting
 - (A) the additional costs of administering the unincorporated area and the expected source of funds to pay the additional costs,
 - (B) the effect of administering the unincorporated area on the financial viability of the proposed municipality,
 - (C) where an expansion of municipal services to the unincorporated area is proposed, a service delivery plan that identifies and addresses the cost, timing and phasing of the services to be provided, and
 - (D) where an expansion of municipal services to the unincorporated area is not proposed, the reasons why an expansion of municipal services is not warranted,
 - (iv) demonstrates the value of the annexation to residents within the boundaries proposed, by including a statement of community benefits, which contains but is not limited to
 - (A) the rationale for the boundaries proposed, which considers the location and use of public and commercial services such as health care services, recreational facilities, retail establishments, tourism establishments and public administration or private sector uses,

- (B) shared needs and common interests that the annexation supports,
- (C) immediate and expected long-term benefits to residents of the existing municipality, and
- (D) immediate and expected long-term benefits to residents of the unincorporated area,
- (v) includes a statement of the expected financial effect of the annexation on the property owners, which contains but is not limited to
 - (A) changes to residential and non-residential tax rates in the existing municipality,
 - (B) changes to the residential and non-residential tax rates in the unincorporated area,
 - (C) the time-frame for implementation of any changes to the existing tax regime, and
 - (D) any additional fees or charges resulting from the annexation, and
- (vi) provides a plan that demonstrates that the municipality will have the administrative and technical resources to govern the unincorporated area proposed for annexation.

Exception

17. Notwithstanding section 16, where a proposal referred to in section 2 is for the restructuring of the boundaries of a rural municipality by annexation of an unincorporated area that consists of twenty or fewer properties, the Commission shall consider in evaluating the proposal whether the proposed restructuring supports ongoing municipal functions, taking into consideration the reasons for the proposal, which include but are not limited to whether

- (a) the property proposed to be annexed has been identified as suitable and required for the provision of municipal services, infrastructure or facilities;
- (b) the purpose of the proposal is to correct a property line; or
- (c) the municipality has initiated the proposal following a request from the owner or owners of one or more of the properties in the area to be annexed.

Restructuring by
concurrent
amalgamation and
annexation

18. Where a proposal referred to in section 2 for the restructuring of the boundaries of two or more rural municipalities by means of a concurrent amalgamation and annexation of an unincorporated area will not result in a municipality that meets the requirements of subsection 13(1) of the Act, the Commission shall consider in evaluating the proposal, in addition to the factors referred to in subsection 19(2) of the Act and the principles referred to in section 2, the factors specified in

- (a) clauses 15(a) to (i); and
- (b) subclauses 16(b)(i) to (iv).

Commencement

19. These regulations come into force on December 23, 2017.

EXPLANATORY NOTES

SECTION 1 establishes definitions for the purposes of the regulations.

SECTION 2 establishes the fundamental principles to be considered by the Commission in evaluating a proposal to establish a new municipality or to restructure an existing municipality.

SECTION 3 establishes specific criteria to be considered by the Commission in evaluating a proposal to establish a new municipality as a city.

SECTION 4 establishes specific criteria to be considered by the Commission in evaluating a proposal to establish a city by the amalgamation of two or more municipalities.

SECTION 5 establishes specific criteria to be considered by the Commission in evaluating a proposal to establish a new municipality as a city by the annexation of an unincorporated area.

SECTION 6 establishes specific criteria to be considered by the Commission in evaluating a proposal to establish a new municipality as a city by a restructuring of the boundaries of two or more existing municipalities that includes a concurrent amalgamation and annexation of an unincorporated area.

SECTION 7 establishes specific criteria to be considered by the Commission in evaluating a proposal to restructure the boundaries of a city by annexation of an unincorporated area.

SECTION 8 provides an exception to the requirements of section 7 where the area to be annexed consists of twenty or fewer properties.

SECTION 9 establishes specific criteria to be considered by the Commission in evaluating a proposal to establish a new municipality as a town.

SECTION 10 establishes specific criteria to be considered by the Commission in evaluating a proposal to establish a town by the amalgamation of two or more municipalities.

SECTION 11 establishes specific criteria to be considered by the Commission in evaluating a proposal to establish a new municipality as a town by the annexation of an unincorporated area.

SECTION 12 establishes specific criteria to be considered by the Commission in evaluating a proposal to establish a new municipality as a town by a restructuring of the boundaries of two or more existing

municipalities that includes a concurrent amalgamation and annexation of an unincorporated area.

SECTION 13 establishes specific criteria to be considered by the Commission in evaluating a proposal to restructure the boundaries of a town by annexation of an unincorporated area.

SECTION 14 provides an exception to the requirements of section 13 where the area to be annexed consists of twenty or fewer properties.

SECTION 15 establishes specific criteria to be considered by the Commission in evaluating a proposal to restructure the boundaries of two or more rural municipalities by amalgamation where the proposal will not result in a municipality that meets the requirements of subsection 13(1) of the Act.

SECTION 16 establishes specific criteria to be considered by the Commission in evaluating a proposal to restructure the boundaries of a rural municipality by annexation of an unincorporated area where the proposal will not result in a municipality that meets the requirements of subsection 13(1) of the Act.

SECTION 17 provides an exception to the requirements of section 16 where the area to be annexed consists of twenty or fewer properties.

SECTION 18 establishes specific criteria to be considered by the Commission in evaluating a proposal to restructure the boundaries of two or more rural municipalities by means of a concurrent amalgamation and annexation of an unincorporated area where the proposal will not result in a municipality that meets the requirements of subsection 13(1) of the Act.

SECTION 19 provides for the commencement of the regulations.

Certified a true copy,

Paul T. Ledwell

Clerk of the Executive Council and Secretary to Cabinet

EC2017-751

**MUNICIPAL GOVERNMENT ACT
PROCEDURAL BYLAW REGULATIONS**

(Approved by Her Honour the Lieutenant Governor in Council dated December 12, 2017.)

Pursuant to clause 261(1)(d) and subsection 261(2) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1, Council made the following regulations:

1. (1) In these regulations, Definitions
 - (a) “Act” means the *Municipal Government Act* R.S.P.E.I. 1988, Act
Cap. M-12.1;
 - (b) “procedural bylaw” means a procedural bylaw made by a council procedural bylaw
pursuant to clause 86(2)(e) of the Act.

(2) For the purposes of the Act and these regulations, the provision of Electronic means
notice by electronic means by a council requires that, at a minimum, the
notice shall be posted electronically on a website that

 - (a) is operated and maintained by or on behalf of the municipality;
and
 - (b) is accessible to the general public.
2. (1) A council shall in its procedural bylaw establish rules respecting Notice of regularly
scheduled meetings
public notice of its regular schedule of meetings and committee meetings
that, at a minimum,
 - (a) require the notice to provide all necessary information respecting
the date, time and place of each meeting; and
 - (b) require notice of the schedule to be established and maintained
by
 - (i) electronic means, and
 - (ii) means of a sign or poster that is posted in a place that is
accessible to the general public.

(2) A council shall in its procedural bylaw establish rules respecting Notice to members
the notice to be provided to members of council and council committees
respecting the regularly scheduled meetings of council and council
committees.
3. A council shall in its procedural bylaw establish rules respecting the Notice of special
meeting
public notice to be provided in respect of a special meeting called under
subsection 121(1) of the Act that, at a minimum,
 - (a) meet the requirements of subsection 121(2) of the Act; and
 - (b) provide that the notice shall be
 - (i) published by electronic means, and

(ii) posted in the form of a sign or poster in a place that is accessible to the general public.

Notice of changes **4.** (1) A council shall in its procedural bylaw establish rules respecting public notice of a change of the date, place or time of any meeting that, at a minimum,

- (a) require the notice to provide all necessary information respecting the new date, time and place of the meeting;
- (b) require at least 24 hours' notice of the change of date, time or place of the meeting; and
- (c) require the notice to be published
 - (i) by electronic means, and
 - (ii) by means of a sign or poster that is posted in a place that is accessible to the general public.

Notice to members (2) A council shall in its procedural bylaw establish rules respecting the notice to be provided to members of council or a council committee respecting a change of the date, time or place of a meeting of council or the council committee that include, at a minimum, that the council

- (a) shall provide at least 24 hours' notice of the change of date, time or place of the meeting to each member of council or the council committee, as the case may be; and
- (b) shall provide the notice to each member by telephone, e-mail or text message, as directed by the member.

Council committees **5.** A council shall in its procedural bylaw provide rules for the establishment of committees of council that specify, at a minimum,

- (a) whether a council committee is a standing committee or an ad hoc committee;
- (b) the terms of reference or purpose of the committee;
- (c) the number of members for each committee;
- (d) the eligibility criteria for membership on each committee;
- (e) the process for appointments, including who may appoint the members of each committee;
- (f) whether the committee shall be composed exclusively of council members or a combination of council members and other persons; and
- (g) the events by which or circumstances in which a committee member's appointment shall be terminated.

Commencement **6.** These regulations come into force on December 23, 2017.

EXPLANATORY NOTES

SECTION 1 establishes definitions for the purposes of the regulations, and also establishes what constitutes electronic means of giving notice.

SECTION 2 establishes the minimum requirements that a council must include in its procedural bylaw respecting public notice and notice to members of regular meetings of council and council committees.

SECTION 3 establishes the minimum requirements that a council must include in its procedural bylaw respecting public notice of special meetings of council.

SECTION 4 establishes the minimum requirements that a council must include in its procedural bylaw respecting public notice and notice to members of changes to the date, place or time of any meeting.

SECTION 5 establishes the minimum requirements that a council must include in its procedural bylaw respecting the establishment of committees of council.

SECTION 6 provides for the commencement of the regulations.

Certified a true copy,

Paul T. Ledwell

Clerk of the Executive Council and Secretary to Cabinet

PART II
REGULATIONS INDEX

Chapter Number	Title	Original Order Reference	Amendment	Authorizing Order and Date	Page
C-13	Community Care Facilities and Nursing Homes Act Nursing Home Regulations	EC10/88	s.1(a.1) [added] s.1(a.2) [added] s.1(b) s.22(4) s.23(1) s.23(2) [added] s.25(d) s.25(e) s.26(1) [R&S] s.30 [R&S] s.32 [R&S] s.33.1 [added] [eff] Jan. 1/2018 s.29 [R&S] [eff] July 1/2018	EC2017-743 (12.12.2017)	195-199
M-12.1	Municipal Government Act Financial Plan Regulations		[new] [eff] Dec. 23/2017	EC2017-748 (12.12.2017)	199-202
M-12.1	Municipal Government Act Municipal Election Regulations		[new] [eff] Dec. 23/2017	EC2017-749 (12.12.2017)	203-242
M-12.1	Municipal Government Act Principles, Standards and Criteria Regulations		[new] [eff] Dec. 23/2017	EC2017-750 (12.12.2017)	243-254
M-12.1	Municipal Government Act Procedural Bylaw Regulations		[new] [eff] Dec. 23/2017	EC2017-751 (12.12.2017)	255-257