

JURISDICTION	PARLIAMENT	BILL #	TITLE	GOVERNMENT/ MEMBERS BILL	STATUS	EXPLANATORY NOTE
<u>Prince Edward Island</u>	<u>63rd General Assembly – 3rd Session</u>					
		4	<u>An Act to Amend the Revenue Tax Act</u>	<u>Sheridan</u>	<u>– Royal Assent – December 9, 2009</u>	<p><u>SECTION 1 clarifies that the 2.5% tax payable on the purchase of an automobile or light truck (that is not a taxable supply made pursuant to the Excise Tax Act) is not payable on the purchase of a heavy truck (one with an unloaded weight of 3859 kg or more).</u></p> <p><u>SECTION 2 establishes an exemption from revenue tax for a silviculturist in respect of the consumption of “machinery and equipment including parts therefor, as defined by regulation”.</u></p> <p><u>SECTION 3 provides for the commencement of this Act.</u></p>
		6	<u>Highway Traffic (Cell Phone) Amendment Act</u>	<u>MacKinlay</u>	<u>– Royal Assent – December 9, 2009</u>	<p><u>SECTION 1 indicates that this Act amends the Highway Traffic Act.</u></p> <p><u>SECTION 2 prohibits a person from driving a motor vehicle on a highway while holding or using a hand-held wireless communication device or other prescribed device that is capable of receiving or transmitting telephone communications, electronic data, email or text messages. The section also sets out exemptions from the prohibition for persons who are</u></p> <ul style="list-style-type: none"> <li><u>- using such a device in hands-free mode;</u></li> <li><u>-driving an ambulance, fire department vehicle or police vehicle;</u></li> <li><u>- of a prescribed class; or</u></li> <li><u>-using a prescribed device or engaged in a prescribed activity.</u></li> </ul> <p><u>The section also provides exemptions from the prohibition in respect of \</u></p> <ul style="list-style-type: none"> <li><u>-the use of a device to contact ambulance, police or fire department emergency services;</u></li> <li><u>-the use of a device in a motor vehicle where the vehicle is lawfully parked or off the roadway and not in motion; and</u></li> <li><u>-the use of a device that is linked to a short wave radio communication system.</u></li> </ul>

And the section authorizes the making of regulations in respect of prescribing devices and classes of persons to which the prohibition does or does not apply.

SECTION 3 amends the Schedule to the Act to set out the minimum and maximum fines for the contravention of the new prohibition respecting the use of a hand-held wireless communication device or other prescribed device while driving.

SECTION 4 provides for the commencement of this Act.

7      An Act to Amend the Highway Traffic Act      MacKinlay

– Royal Assent – December 9, 2009

SECTION 1 amends an offence provision in the Act that deals with vehicle registrations. The amendment provides that it is an offence for a person to knowingly operate, or to permit another person to operate, a motor vehicle that is not registered or that has an expired or suspended registration. The amendment also provides that where a person has been charged with such an offence, the burden of proving the vehicle was not registered or that the registration was expired or suspended is on the defendant.

SECTION 2 adds to the offence of riding on the hood, fenders or running boards of a motor vehicle, that it is an offence to ride on the truck bed of a vehicle.

SECTION 3 amends the penalty provision in the Act that deals with violating any provision of the Act or the regulations where no specific penalty is outlined. The amount of penalty is increased from the minimum \$50 amount to a minimum \$100 amount, and the maximum \$100 amount is increased to \$500.

SECTION 4 corrects a typographical error by adding the words “and the” after the words “Criminal Code” in the reference to “the Criminal Code Weights and Measures Act (Canada).” The amendment corrects the reference so the provision reads “the Criminal Code and the Weights and Measures Act (Canada).”

SECTION 5 repeals and replaces the Schedule to the Act which outlines the minimum and maximum penalty amounts for the offence provisions contained in the Act.

SECTION 6 provides for the commencement of this Act.

100 Public Interest  
Disclosure Act

Crane

First Reading  
- December 8,  
2009

This Bill outlines the activity that is protected from reprisal against an employee of an employer that is an agency of government or a public institution. It requires that any document, record or computer file required for an investigation or disclosure must be preserved. It also provides for the anonymity of any employee who provides information, testifies or makes a disclosure.

The Bill outlines a one-year limitation of action provision in respect of the institution of a civil action by an aggrieved employee or former employee. It also outlines the burden of proof an employee must demonstrate in respect of a violation of this Act, as well as the remedies available in common law tort actions to an employee.

The Bill provides that employee protection and employer obligations must be conspicuously displayed and made available to employees of employers of agencies of government and public institutions. It also provides that existing rights afforded to an employee are not to be affected by this Act. An employee is not authorized to waive, by private contract, any right set out in this Act and no employee is to be compelled to adjudicate his or her rights under this Act pursuant to a collective agreement or any other arbitration agreement. Any right afforded an employee under this Act is not to be waived or modified, except through a court-approved settlement agreement. An employer is not authorized to require an employee to waive his or her right to engage in protected conduct as a condition of settlement.

Finally, the Bill prohibits an employee from bringing or making any allegation that is frivolous or vexatious.