



HOUSE USE ONLY

CHAIR:

WITH / WITHOUT

1st SESSION, 67th GENERAL ASSEMBLY
Province of Prince Edward Island
1 CHARLES III, 2023

(Bill No. 102)

An Act to Amend the Election Act

Hal Perry
Leader of the Official Opposition

PRIVATE MEMBER'S BILL

Andrea MacRae
Acting King's Printer
Charlottetown, Prince Edward Island



AN ACT TO AMEND THE ELECTION ACT

BILL NO. 102

2023

BE IT ENACTED by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows:

- 1. Section 4.1 of the *Election Act* R.S.P.E.I. 1988, Cap. E-1.1, is repealed and the following substituted:**

4.1 Powers of the Lieutenant Governor are not affected

- (1) Nothing in this section affects the powers of the Lieutenant Governor, including the power to dissolve the Legislative Assembly, by proclamation in the Sovereign's name, when the Lieutenant Governor sees fit.

Date of next general election

- (2) Notwithstanding subsection (1) a general election shall be held on Monday, October 4, 2027, unless a general election has been held, after the day on which this section comes into force and before Monday, October 4, 2027, because of a dissolution of the Legislative Assembly.

Elections at four-year intervals

- (3) Notwithstanding subsection (1) after the date of the general election referred to in subsection (2), general elections shall be held on the first Monday in October in the fourth calendar year following ordinary polling day in the most recent general election.

Earlier elections possible

- (4) Notwithstanding subsection (3) an early general election shall take place if the Legislative Assembly passes a motion in the form set out in subsection (5).

Form of motion

- (5) The form of motion for the purposes of subsection (4) is:
"That there shall be an early general election."

Early election where confidence lost

- (5) Notwithstanding subsection (3), an early general election shall also take place if
 - (a) the Legislative Assembly passes a motion in the form set out in subsection (6); and

- (b) the period of 14 days after the day on which that motion is passed ends without the Assembly passing a motion in the form set out in subsection (7).

Form of motion where confidence lost

- (6) The form of motion for the purposes of clause (5)(a) is:

“That this House has no confidence in His Majesty’s Government.”

Form of motion reaffirming confidence

- (7) The form of motion for the purposes of subsection (5)(b) is:

“That this House has confidence in His Majesty’s Government.”

Date of polling day

- (8) If a general election is to take place as provided for by subsection (4) or (5), the polling day for the election is to be the day appointed by the Lieutenant Governor by proclamation on the recommendation of the Premier and, accordingly, the appointed day replaces the day that would otherwise have been the polling day for the next election determined under subsection (3).

EXPLANATORY NOTE

SECTION 1 replaces section 4.1 of the *Election Act* with a new section 4.1, which requires the Legislative Assembly to pass a motion requiring an election earlier than the next scheduled fixed date election to trigger such an election, or a motion for a vote of non-confidence to trigger an election before the next scheduled fixed-date election, and provides a 14 day window thereafter in which the Assembly may reverse the non-confidence vote to avert the earlier election.

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<i>STAGE:</i>	<i>DATE:</i>
<i>1st Reading:</i>	
<i>2nd Reading:</i>	
<i>To Committee:</i>	
<i>Reported:</i>	
<i>3rd Reading and Pass:</i>	
<i>Assent:</i>	

SIGNATURES:

Honourable Antoinette Perry, Lieutenant Governor

Honourable Darlene Compton, Speaker

Joseph Jeffrey, Clerk

Hal Perry
Leader of the Official Opposition

PRIVATE MEMBER'S BILL

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