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CHAIR:

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3rd SESSION, 67th GENERAL ASSEMBLY
Province of Prince Edward Island
4 CHARLES III, 2026

(Bill No. 103)

An Act to Amend the Child, Youth and Family Services Act

Carolyn Simpson
MLA

PRIVATE MEMBER'S BILL

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AN ACT TO AMEND THE CHILD, YOUTH AND FAMILY SERVICES ACT

BILL NO. 103

2026

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

1. **The *Child, Youth and Family Services Act* R.S.P.E.I. 1988, Cap. C-6.01, is amended by the addition of the following after section 28:**

28.1 Child who has left custody of parents

- (1) The Director or a police officer may apply to the court, without notice, for a warrant authorizing the Director or police officer to bring a child to a place of safety, where the Director or police officer has reasonable grounds to believe that
- (a) the child has withdrawn from the custody of the child's parents without consent; and
 - (b) the child's safety or well-being is or is likely to be endangered.

Issuance of warrant

- (2) Where the court is satisfied on the basis of the sworn information of the Director or police officer that the conditions in clauses (1)(a) and (b) have been established, the court may issue a warrant authorizing the Director or police officer to
- (a) enter and search a premises where the Director or police officer reasonably believes the child is located, for the purpose of taking the child to a place of safety; and
 - (b) take the child from the premises or any other location to a place of safety.

Exception, without warrant

- (3) In the circumstances described in subsection (1), the Director or a police officer may take an action described in clause (2)(a) or (b) without a warrant, where the Director or police officer has reasonable grounds to believe that
- (a) the safety or well-being of the child is in immediate danger; or
 - (b) the child may leave or be taken from the area before a warrant can be obtained.

Return child to custody of parents

- (4) Where the Director or a police officer takes a child to a place of safety under this section, the Director or police officer shall
- (a) in the case of a police officer, promptly report the circumstances to the Director; and

- (b) return the child, as soon as reasonably possible, to the custody of one or both of the child's parents, in accordance with the parenting arrangements in place before the child withdrew from parental custody.

Police officer to assist

- (5) On the request of the Director, a police officer shall assist the Director in exercising the Director's powers or performing the Director's duties under this section.

Child in need of protection

- (6) Notwithstanding subsection (4), where the Director or a police officer has reasonable grounds to believe that
 - (a) a child brought to a place of safety under this section is in need of protection; and
 - (b) the child's safety or well-being will not be adequately protected if the child is returned to the custody of one or both of the child's parents,the child is deemed to have been removed by the Director under section 25 or taken to a place of safety by the police officer under section 26, as the case may be.

Telewarrant

- (7) An application under this section may be made by telephone or other means of telecommunication.

EXPLANATORY NOTES

SECTION 1 amends the *Child, Youth and Family Services Act* to add a new section 28.1 to the Act, which provides for the Director or a police officer to intervene and protect children who remove themselves from parental care and custody without consent and are unable or unwilling to protect themselves from threats to their safety and well-being.

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Services Act**

<i>STAGE:</i>	<i>DATE:</i>
<i>1st Reading:</i>	March 31, 2026
<i>2nd Reading:</i>	
<i>To Committee:</i>	
<i>Reported:</i>	
<i>3rd Reading and Pass:</i>	
<i>Assent:</i>	

SIGNATURES:

Honourable Dr. Wassim Salamoun, Lieutenant Governor

Honourable Brad Trivers, Speaker

Joseph Jeffrey, Clerk

Carolyn Simpson
MLA

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