



HOUSE USE ONLY

CHAIR:

WITH / WITHOUT

3rd SESSION, 67th GENERAL ASSEMBLY
Province of Prince Edward Island
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(Bill No. 11)

An Act to Amend the Registry Act

Hon. Jill Burridge
Minister of Finance and Affordability

GOVERNMENT BILL

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AN ACT TO AMEND THE REGISTRY ACT

BILL NO. 11

2026

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

1. **Clause 1(b) of the *Registry Act* R.S.P.E.I. 1988, Cap. R-10, is repealed and the following substituted:**
 - (b) “**document**” means a deed, an affidavit specified in subsection 22(3) of the *Family Law Act* R.S.P.E.I. 1988, Cap. F-2.1, and a mortgage, but does not include a power of attorney registered pursuant to section 45;

2. **Subsection 7(2) of the Act is repealed and the following substituted:**

Documents registered separately

 - (2) Documents shall be registered separately by entering them into the records in the manner required by this Act.

Exception – affidavit

 - (3) Notwithstanding subsection (2), a document that is an affidavit specified in subsection 22(3) of the *Family Law Act* may be registered together with the deed or mortgage to which it relates in accordance with subsection 14(2).

3. **Section 10 of the Act is amended by the deletion of the words “Until such time as regulations pursuant to section 11 come into force” and the substitution of the words “Subject to the regulations”.**

4. **Section 14 of the Act is repealed and the following substituted:**
 14. **Documents to be registered**
 - (1) When a document is received for registration, the Registrar shall mark on it the document number according to the order in which it was received.

Exception

- (2) When the document referred to in subsection (1) is an affidavit specified in subsection 22(3) of the *Family Law Act* that was received together with a deed or mortgage to which it relates, the Registrar shall not mark a separate document number on the affidavit but shall register it under the document number of the deed or mortgage to which it relates.

Right to refuse illegible document

- (3) The Registrar may refuse to register a document under this Act if the document is wholly or partly illegible or unsuitable for photocopying, scanning or microfilming.

Time of registration

- (4) Every registered document is deemed to have been registered from the time of its receipt by the Registrar.

Manner of registration

- (5) Subject to subsection (6), every registered document shall be entered in full in the records
- (a) by filing the registered document itself; or
 - (b) by making a copy of the registered document.

Certificate of satisfaction of mortgage

- (6) A certificate of satisfaction of mortgage shall be registered by the Registrar in conformity with section 46, and notwithstanding subsection (5), shall be entered in the records in the manner required by this Act.

5. **Subsection 22(2) of the Act is amended by the deletion of the words “as prescribed in subsection (1)” and the substitution of the words “in accordance with subsection (1)”.**
6. **Section 51 of the Act is amended by the deletion of the words “in the manner prescribed” and the substitution of the words “, in accordance with this Act,”.**

Consequential Amendments

7. ***Evidence Act***

- (1) **The *Evidence Act* R.S.P.E.I. 1988, Cap. E-11, is amended as provided by this section.**
- (2) **Sections 38 and 39 of the Act are repealed and the following substituted:**

38. Certified copy of document

- (1) A copy of a document as defined in clause 1(b) of the *Registry Act* R.S.P.E.I. 1988, Cap. R-10, certified in accordance with that Act to be a true copy of a document registered pursuant to that Act, is proof, in the absence of evidence to the contrary, of the contents of the original.

Evidence that document is unavailable

- (2) A party proposing to give a certified copy of a document in evidence shall satisfy the court or the person before whom it is produced, by affidavit, that the original document is not under the party's control and that the party does not know where it is to be found.

39. Notice respecting certified copy

Before a certified copy of a document referred to in section 38 is admitted in evidence, the party proposing to produce it shall give to the opposite party and the party's attorney or agent at least seven days' notice in writing of the intention to produce it, and shall accompany the notice with a copy of the certified copy of the document, and of the party's affidavit referred to in subsection 38(2), and the service of the notice and copies may be proved by affidavit.

EXPLANATORY NOTES

SECTION 1 repeals the definition of “document” in clause 1(b) of the *Registry Act* R.S.P.E.I. 1988, Cap. R-10, and substitutes a new definition to clarify that “document” means a deed, an affidavit pursuant to subsection 22(3) of the *Family Law Act* R.S.P.E.I. 1988, Cap. F-2.1, or a mortgage, but does not include a power of attorney registered pursuant to section 45 of the Act.

SECTION 2 repeals subsection 7(2) of the Act and substitutes new subsection 7(2) and 7(3) to clarify how different documents are to be registered. A reference to “in the manner prescribed” is deleted because there are no regulations under the Act.

SECTION 3 amends section 10 of the Act to delete a reference to regulations coming into force, since regulations have not been made and are not necessary.

SECTION 4 repeals section 14 of the Act and substitutes a new section 14 with updated language throughout and a specific process for the registration of a document that is an affidavit specified in subsection 22(3) of the *Family Law Act*. An unnecessary reference to “in the manner prescribed” has been deleted from the new subsection 14(6), the process for registration of a satisfaction of mortgage.

SECTION 5 amends subsection 22(2) of the Act to correct an erroneous reference to “prescribed in subsection (1)”.

SECTION 6 amends section 51 of the Act to delete a reference to “in the manner prescribed”.

SECTION 7 makes consequential amendments to sections 38 and 39 of the *Evidence Act* R.S.P.E.I. 1988, Cap. E-11, to reflect the changes made to the definition of “document” in the *Registry Act*.

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<i>STAGE:</i>	<i>DATE:</i>
<i>1st Reading:</i>	March 27, 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

Hon. Jill Burridge
Minister of Finance and Affordability

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