



**HOUSE USE ONLY**

**CHAIR:**

**WITH  / WITHOUT**

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1st SESSION, 66th GENERAL ASSEMBLY  
Province of Prince Edward Island  
68 ELIZABETH II, 2019

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**(Bill No. 31)**

**An Act to Amend the Tourism Industry Act (No. 2)**

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Hon. Matthew MacKay  
Minister of Economic Growth, Tourism and Culture

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GOVERNMENT BILL

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Carol Mayne  
Acting Queen's Printer  
Charlottetown, Prince Edward Island





## AN ACT TO AMEND THE TOURISM INDUSTRY ACT (NO. 2)

BILL NO. 31

2019

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

1. **The *Tourism Industry Act* R.S.P.E.I. 1988, Cap. T-3.3, is amended in the following provisions by the deletion of the word “tourist” and the substitution of the word “tourism”:**
  - (a) **clause 1.1(a);**
  - (b) **subsection 3(1);**
  - (c) **subsections 9(1) and (3);**
  - (d) **clauses 11(b), (d), (e), (f), (g) and (l);**
  - (e) **section 12.**
  
2. (1) **Subsection 2(1) of the Act is amended by the deletion of the word “tourist” wherever it occurs and the substitution of the word “tourism”.**
  
- (2) **Subsection 2(2) of the Act is amended by the deletion of the words “for a license; and the application and license shall be in such form and shall contain such particulars as shall be prescribed by regulation” and the substitution of the words “, in the form required by the Minister, for a license”.**
  
- (3) **Subsection 2(3) of the Act is repealed and the following substituted:**

**Issuance of license**

  - (3) On receipt of an application made in accordance with subsection (2) and on payment of the prescribed fee, the Minister may issue a license to a tourism operator if the Minister is satisfied that the tourism operator meets the requirements of this Act and the regulations.

**Other enactments**

  - (3.1) A tourism operator is responsible for compliance with any other applicable enactment, including a municipal bylaw, in respect of the operation of the tourism establishment.

- 3. (1) Subsection 7(2) of the Act is amended by the deletion of the word “tourist” wherever it occurs and the substitution of the word “tourism”.**
- (2) Subsection 7(3) of the Act is amended by the deletion of the words “Notwithstanding subsections (1) and (2) an tourism operator” and the substitution of the words “Notwithstanding subsections (1) and (2), a tourism operator”.**
- 4. Section 11 of the Act is amended by the addition of the following after clause (l):**
- (l.1) authorizing the Minister to exempt a tourism operator from compliance with a specified provision of the regulations for a specified period of time;



## EXPLANATORY NOTES

**SECTION 1** deletes references to a “tourist” establishment and substitutes “tourism” establishment in a number of provisions of the Act.

**SECTION 2** amends subsection 2(1) of the Act to delete references to a “tourist” establishment wherever they occur and substitute “tourism” establishment. It amends subsection 2(2) of the Act to allow for the form of an application for a license and the license itself to be determined by the Minister instead of set out in the regulations. It repeals and replaces subsection 2(3) of the Act to provide that, before issuing a license, the Minister is to be satisfied that a tourism operator has met the requirements of the Act and regulations. It adds a new subsection 2(3.1) stating that a tourism operator is responsible for compliance with any other applicable enactments, including municipal bylaws, in respect of the operation of a tourism establishment.

**SECTION 3** amends subsection 7(2) of the Act to delete references to a “tourist” establishment wherever they occur and substitute “tourism” establishment. It amends subsection 7(3) of the Act to correct grammatical errors.

**SECTION 4** adds a regulation-making power to the Act to authorize the Minister to exempt a tourism operator from certain requirements in the regulations for a specified period of time.

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(Bill No. 31)

**An Act to Amend the Tourism Industry Act (No. 2)**

<i>STAGE:</i>	<i>DATE:</i>
<i>1st Reading:</i>	November 20, 2019
<i>2nd Reading:</i>	
<i>To Committee:</i>	
<i>Reported:</i>	
<i>3rd Reading and Pass:</i>	
<i>Assent:</i>	

**SIGNATURES:**

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Honourable Antoinette Perry, Lieutenant Governor

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Honourable Colin LaVie, Speaker

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Joseph Jeffrey, Clerk

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Hon. Matthew MacKay  
Minister of Economic Growth, Tourism and Culture

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