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CHAIR:

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

(Bill No. 7)

An Act to Amend the Police Act

Hon. Bloyce Thompson
Minister of Justice and Public Safety and Attorney General

GOVERNMENT BILL

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Charlottetown, Prince Edward Island



AN ACT TO AMEND THE POLICE ACT

BILL NO. 7

2023

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

- 1. Clause 1(x) of the *Police Act* R.S.P.E.I. 1988, Cap. P-11.1, is repealed.**
- 2. (1) Clause 3(3)(e) of the Act is amended by the deletion of the words “, the Atlantic Police Academy, or an employer of a security police officer in the province” and the substitution of the words “or the Atlantic Police Academy”.**
 - (2) Subsection 3(5) of the Act is amended by the deletion of the words “, the Atlantic Police Academy, or an employer of a security police officer” and the substitution of the words “or the Atlantic Police Academy, as the case may be,”.**
 - (3) Subsection 3(6) of the Act is amended**
 - (a) by the deletion of the words “, the Atlantic Police Academy, or an employer of a security police officer” and the substitution of the words “or the Atlantic Police Academy”; and**
 - (b) by the deletion of the words “, the Atlantic Police Academy or the employer” and the substitution of the words “or the Atlantic Police Academy that is”.**
- 3. Clause 19(1)(b) of the Act is amended by the deletion of the words “a chief officer, the Director or a security police officer” and the substitution of the words “a chief officer or the Director”.**
- 4. Subsection 21(5) of the Act is amended**
 - (a) by the repeal of clause (h); and**
 - (b) in clause (i), by the deletion of the words “clauses (e) to (h)” and the substitution of the words “clauses (e) to (g)”.**

5. The heading immediately before section 34 of the Act is repealed and the following substituted:

PART 8 - COMPLAINTS CONCERNING CHIEF OFFICERS AND OTHERS

6. Section 34 of the Act is amended
- (a) in clause (a), by the deletion of the words “, a conservation officer appointed under subsection 14.4(1) or a security police officer” and the substitution of the words “or a conservation officer appointed under subsection 14.4(1)”; and
 - (b) by the repeal of subclause (b)(iii).
7. (1) Subsection 35(1) of the Act is amended
- (a) in clause (b), by the deletion of the semicolon and the substitution of the words “; or”;
 - (b) by the repeal of clause (c); and
 - (c) in the words following clause (d), by the deletion of the words “, security police officer”.
- (2) Subsection 35(2) of the Act is amended by the deletion of the words “, a security police officer”.
- (3) Subsection 35(5) of the Act is amended
- (a) in clause (g), by the deletion of the semicolon and the substitution of the words “; or”; and
 - (b) by the repeal of clause (h).
- (4) Subsection 35(6) of the Act is amended
- (a) in clause (b), by the deletion of the words “; or” and the substitution of a comma; and
 - (b) by the repeal of clause (c).
8. Section 36 of the Act is amended
- (a) in the words preceding clause (a), by the deletion of the words “, a security police officer”;
 - (b) in clause (a), by the deletion of the words “, a security police officer”; and
 - (c) by the repeal of subclauses (b)(ii) and (c)(ii).

9. **Clause 43(5)(g) of the Act is amended by the deletion of the words “, including a union representative where the respondent is a security police officer”.**
10. **The heading immediately before section 46 and section 46 of the Act are repealed.**
11. **Clause 55(1)(c) of the Act is repealed and the following substituted:**
 - (c) appointed under this Act as
 - (i) a member of a police service, or
 - (ii) an instructing officer, police cadet or civilian instructor;
12. **Section 58 of the Act is amended**
 - (a) **in clause (b), by the deletion of the words “46(5),”;**
 - (b) **in clause (c), by the deletion of the words “46(6),”;**
 - (c) **in clause (f.1), by the deletion of the words “and security police officers for the purposes of subsections 10(9), 46(15), and 52(3)” and the substitution of the words “and instructing officers for the purposes of subsections 10(9) and 52(3) respectively”;**
 - (d) **by the repeal of clause (f.4);**
 - (e) **by the repeal of clauses (k), (l) and (m); and**
 - (f) **in clause (r), by the deletion of the words “security police officers,”.**
13. **Subsections 59(8), (9), (10) and (11) of the Act are repealed.**
14. **Section 62 of the Act is amended by the deletion of the words “, the Director or a security police officer” wherever they occur and the substitution of the words “or the Director”.**

EXPLANATORY NOTES

SECTION 1 amends section 1 of the *Police Act* R.S.P.E.I. 1988, Cap. P-11.1, to repeal the definition of “security police officer”. Security police officers will no longer be appointed under the Act.

SECTION 2 amends clause 3(3)(e) of the Act and subsections 3(5) and (6) to remove references to “an employer of a security police officer”.

SECTION 3 amends clause 19(1)(b) to remove a reference to a security police officer.

SECTION 4 amends clause 21(5)(h) to remove a reference to a security police officer.

SECTION 5 amends the heading preceding section 34 of the Act to remove a reference to security police officers.

SECTION 6 amends section 34 of the Act to remove references to security police officers.

SECTION 7 amends section 35 of the Act to remove references to security police officers in subsections 35(1), (2), (5) and (6).

SECTION 8 amends section 36 of the Act to remove references throughout to security police officers.

SECTION 9 amends clause 43(5)(g) to remove a reference to a security police officer.

SECTION 10 repeals the heading preceding section 46 of the Act and section 46. The section dealt with security police officers.

SECTION 11 repeals clause 55(1)(c) of the Act and substitutes a new clause (c) to eliminate a reference to security police officers.

SECTION 12 amends section 58 of the Act to remove the specified regulation-making powers and references, which dealt with matters relating to security police officers and are now no longer needed in the Act.

SECTION 13 amends section 59 of the Act by repealing subsections (8) to (11). These subsections dealt with transitional matters concerning security police officers when the Act came into force in 2006, and are no longer needed.

SECTION 14 amends section 62 of the Act to remove references in subsections (1) and (2) to security police officers.

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<i>STAGE:</i>	<i>DATE:</i>
<i>1st Reading:</i>	May 16, 2023
<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

Hon. Bloyce Thompson
Minister of Justice and Public Safety and Attorney General

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