



**HOUSE USE ONLY**

**CHAIR:**

WITH  / WITHOUT

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

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(Bill No. 29)

**An Act to Amend the Amusement Devices Act**

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Hon. Rob Lantz  
Minister of Housing, Land and Communities

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GOVERNMENT BILL

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





## AN ACT TO AMEND THE AMUSEMENT DEVICES ACT

BILL NO. 29

2023

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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. **Clause 1(a) of the *Amusement Devices Act* R.S.P.E.I. 1988, Cap. A-10.1, is repealed and the following substituted:**

(a) “**amusement device**” means a device, machine, contrivance, structure, inflatable or vehicle used to amuse or entertain persons by moving them or causing them to move, and includes any attachment to it and any installation or area integral to its operation;

2. **Subsection 4(2) of the Act is repealed and the following substituted:**

**Permit displayed**

(2) The owner of an amusement device shall ensure that the permit to operate the device or evidence of the permit is displayed on or near the device as directed by an inspector.

3. **Subsection 8(4) of the Act is amended by the addition of the words “, other than an inflatable,” after the words “whenever an amusement device”.**

4. (1) **Subsection 16(1) of the Act is amended by the addition of the words “of not less than \$500 and” after the words “to a fine”.**

(2) **Subsection 16(2) of the Act is repealed and the following substituted:**

**Continuing offence**

(2) Where a person continues to commit an offence set out in subsection (1) after a conviction for the offence, the person is guilty of a separate offence on each day the offence continues and liable on summary conviction to a fine not exceeding \$1,000 per day.

**5. Section 18 of the Act is repealed and the following substituted:**

**18. Limited liability**

No action lies against the Minister, the chief inspector, an inspector or any other person for anything done or not done, in good faith, in the administration or enforcement of this Act or the regulations.

**6. Clause 20(e) of the Act is amended by the deletion of the words “and recognized by the Standards Council of Canada and as amended from time to time”.**

## EXPLANATORY NOTES

**SECTION 1** amends the definition of “amusement device” at clause 1(a) of the *Amusement Devices Act* to explicitly include an inflatable and devices that cause a person to move, as well as those that move a person.

**SECTION 2** repeals and replaces subsection 4(2) of the Act to require the owner of an amusement device to display the permit itself or something evidencing the permit, like a sticker or decal, on or near the amusement device. What is displayed and the method of display will vary depending on the nature of the amusement device.

**SECTION 3** amends subsection 8(4) of the Act to except an inflatable from inspection each time it is disassembled and reassembled.

**SECTION 4** amends subsection 16(1) of the Act to provide a minimum fine of \$500 as a penalty for an offence. The maximum fine continues to be \$5,000. It also repeals and replaces subsection 16(2) to provide that the fine for a continuing offence is applicable for each day the offence continues after conviction.

**SECTION 5** repeals and replaces section 18 of the Act to improve the wording.

**SECTION 6** amends clause 20(e) of the Act to provide for regulations adopting any code, rule or standard pertaining to the safety of amusement devices, not just one recognized by the Standards Council of Canada.

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(Bill No. 29)

**An Act to Amend the Amusement Devices Act**

<i>STAGE:</i>	<i>DATE:</i>
<i>1st Reading:</i>	November 7, 2023
<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 Darlene Compton, Speaker

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Joseph Jeffrey, Clerk

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Hon. Rob Lantz  
Minister of Housing, Land and Communities

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GOVERNMENT BILL

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