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2nd SESSION, 66th GENERAL ASSEMBLY
Province of Prince Edward Island
1 CHARLES III, 2022

(Bill No. 129)

**An Act to Amend the Early Learning and Childcare Act
(No. 2)**

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PRIVATE MEMBER'S BILL

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**For House
Use Only**

**Prince Edward Island
Legislative Assembly**

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AMENDMENTS

BILL NUMBER: 129 PAGE No. 2 of 6 PAGES

TITLE: An Act to Amend the Early Learning and Childcare Act (No. 2)

#	SECTION	AMENDMENT	DATE

NOTED: _____ **CERTIFIED CORRECT:** _____
COMMITTEE CLERK **CHAIR, IN COMMITTEE**



AN ACT TO AMEND THE EARLY LEARNING AND CHILDCARE ACT (NO. 2)

BILL NO. 129

2022

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

1. Clause 1(c) of the *Early Learning and Child Care Act* R.S.P.E.I. 1988, Cap. E-.01, is repealed and the following substituted:

- (c) “**associated person**” means, in respect of a centre,
- (i) a person over the age of 18 years who resides in a residence in which the centre is operated,
 - (ii) a staff member who reasonably expects to work at the centre while children are present,
 - (iii) an individual operator of the centre,
 - (iv) where the operator of the centre is a partnership of individuals, each individual partner,
 - (v) where the operator of the centre is a corporation or a partnership that includes a corporation, the shareholders and directors of the corporation, or
 - (vi) a person or class of persons prescribed in the regulations;

2. Subsection 15(2) of the Act is repealed and the following substituted:

Documents and fee

- (2) An application for a licence shall be accompanied by:
- (a) a statement of the results of a criminal record check and a vulnerable sector search, dated not earlier than one month prior to the date of the application, with respect to every associated person of the centre;
 - (b) any other documents and the fee required by the regulations.

3. Subsection 21(2) of the Act is repealed and the following substituted:

Documents and fee

- (2) An application for the renewal of a licence shall be accompanied by:

- (a) a statement of the results of a criminal record check and a vulnerable sector search, dated not earlier than one month prior to the date of the application, with respect to each associated person of the centre, except where the Board was provided with such a statement respecting the associated person of the centre within the three years preceding the date of the renewal application;
- (b) any other documents and the fee required by the regulations.

4. Section 40 of the Act is repealed and the following substituted:

40. Staff requirements

The operator of a licensed centre shall ensure that

- (a) every staff member at the licensed centre who reasonably expects to work at the centre while children are present provides to the operator the results of a criminal record check and vulnerable sector search, dated not earlier than one month prior to the date it is provided,
 - (i) before commencing to provide services at the licensed centre, and
 - (ii) at least every three years after that date; and
- (b) the requirements imposed by this Act, the regulations and the Minister's directives for certificate holders are met in relation to the operator's centre, in accordance with this Act, the regulations and the Minister's directives.

EXPLANATORY NOTES

SECTION 1 amends the *Early Learning and Child Care Act* to expand the definition of “associated person”.

SECTION 2 amends the requirement for an application for a licence to operate an early learning and child care centre to require a statement of the results of a criminal record check and a vulnerable sector search, with respect to every associated person of the centre.

SECTION 3 amends the requirement for an application for renewal of a licence to operate an early learning and child care centre to require a statement of the results of a criminal record check and a vulnerable sector search, with respect to every associated person of the centre, except where the Early Learning and Child Care Board was provided with such a statement within the three years preceding the date of the renewal application.

SECTION 4 expands the requirements that an operator must comply with, respecting clearances for staff of the licensed centre.

(Bill No. 129)

**An Act to Amend the Early Learning and Childcare
Act (No. 2)**

<i>STAGE:</i>	<i>DATE:</i>
<i>1st Reading:</i>	
<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 Colin LaVie, Speaker

Joseph Jeffrey, Clerk

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PRIVATE MEMBER'S BILL

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