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2nd SESSION, 63rd GENERAL ASSEMBLY  
Province of Prince Edward Island  
57 ELIZABETH II, 2008

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**CHAPTER 12**

(Bill No. 32)

**An Act to Amend the Elevators and Lifts Act**

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Honourable Carolyn I. Bertram  
Minister of Communities, Cultural Affairs and Labour

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GOVERNMENT BILL

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MICHAEL D. FAGAN  
Queen's Printer  
Charlottetown, Prince Edward Island



## CHAPTER 12

### An Act to Amend the Elevators and Lifts Act

(Assented to May 22, 2008)

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

#### 1. Section 1 of the *Elevators and Lifts Act* R.S.P.E.I. 1988, Cap. E-5 is amended

##### (a) by the addition of the following after clause (c):

(c.1) “contractor’s license” means a contractor’s license issued by the Minister under section 3.1; contractor’s license

##### (b) by the addition of the following after clause (l):

(l.1) “installer’s registration” means an installer’s registration issued by the Minister under section 3.1; installer’s registration

#### 2. The Act is amended by the addition of the following after section 3:

3.1 The Minister may, on application, issue a contractor’s license or an installer’s registration to the applicant, in accordance with the regulations. Licenses, registrations

3.2 (1) No person other than a person who holds a contractor’s license or an installer’s registration shall install, construct, reconstruct, maintain or alter an elevating device. Installation of elevator prohibited unless license or registration is held

(2) No person who holds a contractor’s license or an installer’s registration shall install, construct, reconstruct, maintain or alter an elevating device, unless the installation, construction, reconstruction, maintenance or alteration is carried out in compliance with this Act and the regulations. Compliance

(3) A person who does not hold a contractor’s license or an installer’s registration may install, construct, reconstruct, maintain or alter an elevating device if the person does so while under the direct supervision of a person who holds a contractor’s license or an installer’s registration. Exception

#### 3. Subsection 7(1) of the Act is amended

**(a) in clause (b), by the deletion of the words “regulations; and” and the substitution of the words “regulations;”;**

**(b) in clause (c), by the deletion of the period and the substitution of the words “; and”; and**

**(c) by the addition of the following after clause (c):**

(d) shall review applications for the issuance of contractor’s licenses and installer’s registrations and make recommendations to the Minister in respect of the approval for such applications, in accordance with the regulations.

#### **4. Section 17 of the Act is amended**

**(a) in subsection (1),**

**(i) by the addition of the following after clause (b):**

(b.1) respecting the issuance of contractor’s licenses and installer’s registrations required under this Act and the regulations;

(b.2) respecting the issuance, refusal, suspension or revocation of contractor’s licenses and installer’s registrations;

(b.3) respecting appeals from refusals, suspensions or revocations of contractor’s licenses and installer’s registrations;

**(ii) by the addition of the following after clause (i):**

(i.1) prescribing the fees to be paid for contractor’s licenses or installer’s registrations issued under this Act;

**(b) in subsection (3), by the addition of the words “this Act and” after the words “purposes of”; and**

**(c) by the addition of the following after subsection (4):**

Adoption by  
reference codes,  
standards

(5) A regulation made under subsection (1) may adopt by reference in whole or in part, and with such changes as the Lieutenant Governor in Council considers necessary, any code or standard in respect of elevating devices that is made by any recognized technical organization, and may require compliance with any code or standard so adopted.

*Idem*

(6) On the adoption of any code or standard under the regulations in respect of elevating devices, the code or standard shall be in force in the province, either in whole or in part, or with such amendments, variations, additions or deletions as may be specified in the regulations.

**5. This Act comes into force on a date that may be fixed by proclamation of the Lieutenant Governor in Council.**

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<i>STAGE:</i>	<i>DATE:</i>
<i>1st Reading:</i>	May 20, 2008
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<i>To Committee:</i>	May 21, 2008
<i>Reported:</i>	May 21, 2008
<i>3rd Reading and Pass:</i>	May 22, 2008
<i>Assent:</i>	May 22, 2008

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