

FORM 8

**APPLICATION BY OR ON BEHALF OF A NON-RESIDENT OR CORPORATION
PURSUANT TO CLAUSE 5.3(1)(b) OF
THE PRINCE EDWARD ISLAND LANDS PROTECTION ACT**

- 1. Applicant's name: _____
- 2. Place of incorporation (for applicant corporation): _____
- 3. Type of business in which applicant corporation is engaged: _____
- 4. Applicant's permanent address: _____
- 5. Total acreage proposed to be leased: _____
- 6. Intended use of proposed leased land: _____

IF THE APPLICANT IS A PERSON:

- 7. State the parcel number and acreage of each parcel of land* in the Province in which the applicant and the applicant's minor children hold an interest, including land* held by way of lease. (Attach a separate sheet if necessary.) _____

- 8. If the applicant or the applicant's minor children hold more than 5% of the shares of any corporation owning or leasing land* within the Province, provide on a separate sheet and attach:
 - (a) the name and permanent address of the corporation;
 - (b) the total number of shares** issued by the corporation;
 - (c) the total number of shares** owned by the applicant and the applicant's minor children; and
 - (d) the parcel number and acreage of each parcel of land* in the province now owned or leased by the corporation.

IF THE APPLICANT IS A CORPORATION:

- 9. Provide on a separate sheet and attach:
 - (a) the parcel number and acreage of each parcel of land* in the province now owned or leased by the corporation;
 - (b) the name and permanent address of each officer and director of the corporation;
 - (c) the total number of shares** issued by the applicant corporation;
 - (d) the names, addresses and number of shares** held by shareholders, both corporate and individual, owning more than 5% of the shares of the applicant corporation;
 - (e) for the shareholders listed in clause (d) list:
 - (i) the parcel number and acreage of each parcel of land* in the province now owned or leased by each shareholder (including holdings of minor children); and
 - (ii) the parcel number and acreage of land holding of any other corporation in which each shareholder owns more than 5% of the shares**, total number of shares** issued by that corporation and number of shares** owned by that shareholder;
 - (f) if the applicant corporation owns more than 5% of the shares** in any other corporation(s) but does not control the corporation(s), provide the following for each corporation:
 - (i) the percentage of shares** owned by the applicant corporation;
 - (ii) the parcel number and acreage of each parcel of land* owned or leased;

* The Act excludes any parcel of land, existing on May 1, 1995, of less than one acre that is situated within a city or town.

** "share" means

(i) in relationship to a partnership or co-operative association, a unit representing a proportion of the ownership of the partnership or association;

(ii) in relation to a corporation, an issued share carrying voting rights under all circumstances or by reason of the occurrence of an event that has occurred and that is continuing, and includes

(A) a security currently convertible into such a share, and

(B) currently exercisable options and rights to acquire such a share or such a convertible security.

FOR APPLICANT PERSONS AND CORPORATIONS:

- 10. Indicate any other circumstances that are relevant _____

11. I hereby certify that this application is complete and that the information herein, and attached hereto, is true and correct in all aspects.

Signature of applicant or attorney
(in the case of a corporation, an
authorized corporate officer)

Date

Name of signatory (please print)

Address

Telephone

Email address

In accordance with the Fees Regulations, an application filed by a non-resident person, a non-resident corporation or a corporation where the majority of shares are beneficially owned by non-resident(s) is subject to a fee. If applicable, please attach a cheque made payable to The Island Regulatory and Appeals Commission. Refer to the Fees Regulations to determine the applicable fee.

RETURN COMPLETED FORM TO:

The Island Regulatory & Appeals Commission
Suite 501 – 134 Kent Street
P. O. Box 577
Charlottetown PE C1A 7L1

Telephone: 902-892-3501 or
1-800-501-6288 (Toll Free within the province)
Fax: 902-566-4076
Website: www.irac.pe.ca

NOTE:

In accordance with subsection 5.3(2) of the *Prince Edward Island Lands Protection Act* where permission has been granted by the Lieutenant Governor in Council for a lease of land, the person or corporation shall within one year of receiving permission and in every subsequent year, prior to December 31 file a statement disclosing information prescribed by subsection (3).

Subsections 5.3(2) and (3) of the Act state:

- (2) *Where permission has been granted by the Lieutenant Governor in Council for a lease of land pursuant to an application made under clause (1)(b), the person or corporation shall*
- (a) *within one year of receiving permission; and*
 - (b) *in every subsequent year, prior to December 31, file a statement disclosing information prescribed by subsection (3).*
- (3) *The statement required by subsection (2) shall disclose*
- (a) *the parcel number;*
 - (b) *the acreage leased; and*
 - (c) *the term of the lease or leases;*
- for each parcel leased during the reporting period covered by the statement.*

PLEASE SEE FORM 8, APPENDIX A - STATEMENT FOR REPORTING LAND LEASED IN PURSUANT TO SUBSECTION 5.3(2) OF THE *PRINCE EDWARD ISLAND LANDS PROTECTION ACT*

