

FORM 8A

"GLOBAL LEASE PERMIT"

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 (the "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: _____
Number and Street Name (PO Box not acceptable)

City/Town/Community Province Postal Code Telephone Email 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, arable land acreage and non-arable land acreage of each parcel of land¹ in the province in which the applicant and his minor children hold an interest, including land¹ held by way of lease. (Attach separate sheet if necessary): _____
8. For any corporation owning or leasing land within the province in which the applicant or his minor children hold more than 5% of the shares² as defined in clause 1(1)(l) of the *Act* (see below), provide on a separate sheet and attach:
 - (a) the name and permanent address of the corporation;
 - (b) the total number of shares² issued by the corporation;
 - (c) the total number of shares² held by the applicant and the applicant's minor children; and
 - (d) the parcel number, arable land acreage and non-arable land acreage of each parcel of land¹ in the province now owned, leased in or leased out by the corporation.

IF THE APPLICANT IS A CORPORATION:

9. For the applicant corporation, provide on a separate sheet and attach:
 - (a) the parcel number, arable land acreage and non-arable land acreage of each parcel of land¹ in the province now owned, leased in or leased out by the corporation (including global leases);
 - (b) the names and permanent address of each officer and director of the corporation;
 - (c) the total number of shares² issued by the applicant corporation;
 - (d) the names, addresses and number of shares held by shareholders, both corporate and individual, who hold more than 5% of the issued shares of the applicant corporation;
 - (e) for each of the shareholders listed in clause (d) above provide:
 - (i) the parcel number, arable land acreage and non-arable land acreage of each parcel of land¹ in the province now owned, leased in or leased out by each shareholder (including holdings of minor children); and
 - (ii) the parcel number, arable land acreage and non-arable land acreage of each parcel of land¹ in the province now owned, leased in or leased out by 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 held by that shareholder;
 - (f) if any of the shareholders listed in clause (d) above are corporations, provide for each shareholder corporation:
 - (i) the names and permanent address of each officer and director;
 - (ii) the names, addresses and number of shares held by shareholders, both corporate and individual, who hold more than 5% of the issued shares;
 - (iii) the parcel number, arable land acreage and non-arable land acreage of each parcel of land¹ in the province now owned or leased by each shareholder that owns more than 5% of the shares, total number of shares issued by that corporation and number of shares held by that shareholder;
 - (g) if the applicant corporation holds more than 5% of the shares in any other corporation(s), provide the following for each corporation:
 - (i) the percentage of shares held by the applicant corporation; and
 - (ii) the parcel number, arable land acreage and non-arable land acreage of each parcel of land¹ in the province now owned, leased in or leased out.

¹The Act excludes any parcel of land of one acre or less that is situated within the boundaries of a municipality with an official plan approved by the Minister under the Planning Act, R.S.P.E.I., Cap P-8.

²"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.

10. Are each of the shareholders listed in 9(d) and (f) a resident person as defined by subsection 1(1.01) of the *Act*? _____ If not, a Form 8A application may be required, pursuant to section 5.3(1)(b) of the *Act*, and application fee (when applicable) for each shareholder who is not a resident person.

- 11.** If any shareholder is a trust, provide on a separate sheet and attach:
- (a) the names and land holdings, including parcel numbers and acreages of the trustee(s) of the trust;
 - (b) if the trust is **non-discretionary**, the names and land holdings, including parcel numbers and acreages, of the beneficiaries of the trust; or
 - (c) if the trust is **discretionary**, file
 - (i) a copy of the trust agreement;
 - (ii) an affidavit with an attached copy of the sections of the trust agreement that grants the discretion to the trustee(s); or
 - (iii) a legal opinion signed by a solicitor licensed to practice law in Prince Edward Island confirming the trust is discretionary.

FOR APPLICANT PERSONS AND CORPORATIONS:

12. State any other circumstances that are relevant: _____

DECLARATION

- 13.** I hereby certify that this application is complete and that the information herein, and attached hereto, is true and correct in all respects. I further certify that I am authorized to sign this application.
- 14.** Upon request, I undertake to provide such further information as may be reasonably required by the Commission or Executive Council in the processing of this application.

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

Date

Name of signatory (please print)

Address

Title – Indicate if acting as attorney

Email Address

Telephone

Refer to the *Prince Edward Island Lands Protection Act Fees Regulations* or contact the Island Regulatory and Appeals Commission to determine if a fee is applicable. If applicable, please attach a cheque made payable to The Island Regulatory and Appeals Commission.

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 in PEI and NS)
Fax: (902) 566-4076
Website: www.ircac.pe.ca

NOTE:

In accordance with subsection 5.3(2) of the 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). (Form 8B – Global Lease Permit Report)

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.

Information on this Form is collected pursuant to the <i>Lands Protection Act</i> and will be used by the Commission in the administration of the said Act. For additional information, contact the Commission at (902)892-3501 or by email at info@ircac.pe.ca .
