

## FORM 2A

### APPLICATION BY OR ON BEHALF OF A **CORPORATION** PURSUANT TO SUBSECTION 5(2) OF THE *PRINCE EDWARD ISLAND LANDS PROTECTION ACT* (the 'ACT')

1. Corporation's name: \_\_\_\_\_
2. Place of incorporation: \_\_\_\_\_
3. Corporation's registered permanent address: \_\_\_\_\_  
Number, Street Name (Not PO Box)

City/Town/Community

Province

Postal Code

Telephone

Email Address

4. 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 land<sup>1</sup> in the province now owned, leased in or leased out by the corporation;
  - (b) the names and permanent address of each current officer and director of the corporation;
  - (c) the total number of shares as defined in section 1(1)(l) of the *Act* currently issued by the applicant corporation;
  - (d) the names, addresses and number of shares currently held by shareholders, both corporate and individual, who hold more than 5% of the issued shares of the applicant corporation;
5. Details of the "material change" as defined in section 5(3) of the *Act* proposed to the applicant corporation's shareholders, including:
- (a) the total number of shares to be issued by the applicant corporation upon completion of the material change;
  - (b) the names, addresses and number of shares to be held by shareholders, both corporate and individual, who will hold more than 5% of the issued shares of the applicant corporation after completion of the material change;
  - (c) for each of the shareholders listed in clause (b) above provide:
    - (i) the parcel number, arable land acreage and non-arable land acreage of each parcel of land 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 land in the province now owned, leased in or leased out by any other corporation in which each shareholder holds more than 5% of the shares, total number of shares issued by that corporation and number of shares held by that shareholder;
  - (d) if any of the shareholders listed in clause (b) 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 land<sup>1</sup> in the province now owned or leased by each shareholder that holds more than 5% of the shares, total number of shares issued by that corporation and number of shares held by that shareholder;
  - (e) if, upon completion of the material change, the applicant corporation will hold 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 land in the province now owned, leased in or leased out.
6. Upon completion of the material change, will there be any other persons or corporations not identified in Question 5 that have direct or indirect control of the applicant corporation in accordance with section 9.1 of the *Act*? If yes, provide:
- (a) The name and permanent address of the persons and/or corporations;
  - (b) The nature of the direct or indirect control for each of those listed in clause (a);
  - (c) for each of those named in clause (a), provide:
    - (i) the parcel number, arable land acreage and non-arable land acreage of each parcel of land<sup>1</sup> in the province now owned, leased in or leased out by each of those named,
    - (ii) the parcel number, arable land acreage and non-arable land acreage of each parcel of land<sup>1</sup> in the province now owned, leased in or leased out by any other corporation over which each of those named has direct or indirect control in accordance with section 9.1 of the *Act*,
    - (iii) the parcel number, arable land acreage and non-arable land acreage of each parcel of land<sup>1</sup> in the province now owned, leased in or leased out by any other corporation in which each of those named owns more than 5% of the shares, total number of shares issued by that corporation and number of shares held by that shareholder;

- (d) if the applicant corporation has direct or indirect control of any other corporation(s) in accordance with s. 9.1 of the *Act*, provide the following for each corporation:
    - (i) the name and permanent address of the corporation;
    - (ii) the nature of the direct or indirect control;
    - (iii) the names and addresses of the persons, corporations, groups, or other organizations, if applicable, sharing the interests or rights referred to in clause (b); and
    - (iv) the parcel number, arable land acreage and non-arable land acreage of each parcel of land<sup>1</sup> in the province now owned, leased in or leased out by each corporation.
- 7.** 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.
- 8.** State any other circumstances that are relevant:

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<sup>1</sup>The 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*.

**DECLARATION**

- 9.** 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.
- 10.** 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	Date
Name of signatory (please print)	Address
Title – Indicate if acting as attorney	Email Address
Telephone	

- ATTACH:**
- (a) a copy of each Order in Council to be amended; and
  - (b) a cheque made payable to the Prince Edward Island Regulatory and Appeals Commission when applicable.

Refer to the Fees Regulations or contact the Island Regulatory and Appeals Commission to determine the applicable fee.

**NOTICE:**

**Section 15 of the Act provides that:**

***Any person or corporation who provides false or misleading information when required to provide information under this Act is guilty of an offence and liable on summary conviction to a fine in an amount not to exceed \$250,000.***

**RETURN COMPLETED FORM TO:**

The Island Regulatory and 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.irc.pe.ca](http://www.irc.pe.ca)

Personal information on this form is collected under the authority of the *Island Regulatory and Appeals Commission Act* and will be used by the Commission in the administration of the *Prince Edward Island Lands Protection Act*. All information collected is included in the Commission case file and, in accordance with the *Freedom of Information and Protection of Privacy Act*, some of the information collected herein may be available to the public subject to exceptions. For additional information, contact the Commission at (902) 892-3501 or by email at [info@irc.pe.ca](mailto:info@irc.pe.ca)

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