

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 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 separate sheet if necessary): _____
8. (a) For any corporation owning or leasing land within the province in which the applicant or the applicant's minor children hold more than 5% of the shares as defined in section 1.(1)(l) of the *Act*, provide on a separate sheet and attach:
 - (i) the name and permanent address of the corporation;
 - (ii) the total number of shares issued by the corporation;
 - (iii) the total number of shares held by the applicant and the applicant's minor children; and
 - (iv) 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 the corporation.
- (b) For any corporation owning or leasing land within the province in which the applicant or the applicant's minor children hold any of the interests as outlined in section 9.1(2) of the *Act*, provide on a separate sheet and attach:
 - (i) the name and permanent address of the corporation,
 - (ii) the nature of the interests or rights,
 - (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 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 shares (as defined in section 1.(1)(1) of the *Act*) 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.

- 10.** Are there any other persons or corporations not identified in Question 9 that have direct or indirect control of the applicant corporation in accordance with section 9.1 of the *Act*? If so, 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 land¹ 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 land¹ 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 land¹ 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 land¹ in the province now owned, leased in or leased out by each corporation.

11. Is each of the shareholders listed in 9(d) and (f)(ii) a resident person as defined by subsection 1.(1.01) of the *Act*? _____ If not, a Form 1 application may be required, pursuant to section 4 of the *Act*, and application fee (when applicable) for any shareholder who is not a resident person.

- 12.** 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:

13. State any other circumstances that are relevant: _____

DECLARATION

- 14.** 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.
- 15.** 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 Prince Edward Island Regulatory and Appeals Commission to determine if a fee is applicable. If applicable, please attach a cheque made payable to the Prince Edward Island Regulatory and Appeals Commission.

RETURN COMPLETED FORM TO:

The Prince Edward 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.irac.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.

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@irac.pe.ca

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*.

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