

EC2003-88

EXECUTIVE COUNCIL ACT
 MINISTER OF DEVELOPMENT AND TECHNOLOGY
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (FIFTH PROTOCOL OF AMENDMENT TO THE
 AGREEMENT ON INTERNAL TRADE)
 WITH THE
 GOVERNMENTS OF CANADA,
 THE OTHER PROVINCES AND THE TERRITORIES

Pursuant to clauses 10(a) and (b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Development and Technology to enter into an agreement with the Governments of Canada, the other Provinces and the Territories, as represented by their respective Ministers Responsible for Internal Trade, to amend the Agreement on Internal Trade to modify the means of changing the list of entities, to amend the Code of Conduct on Incentives and to incorporate other housekeeping amendments, such as more particularly described in the draft amendment.

EC2003-89

FARM REGISTRATION AND FARM ORGANIZATIONS FUNDING ACT
 DECLARATION RE

Under authority of section 12 of the *Farm Registration and Farm Organizations Funding Act* Stats. P.E.I. 2002, 4th Session, c. 10 Council ordered that a Proclamation do issue proclaiming all sections of the said "*Farm Registration and Farm Organizations Funding Act*" except subsections 10(4) and (5) to come into force effective 15 March 2003.

EC2003-90

**FARM REGISTRATION AND
 FARM ORGANIZATIONS FUNDING ACT
 REGISTRATION FEES REGULATIONS**

Pursuant to subsection 10(2) of the *Farm Registration and Farm Organizations Funding Act* Stats. P.E.I. 2002, c.10, Council made the following regulations:

1. In these regulations "Act" means the *Farm Registration and Farm Organizations Funding Act* Stats. P.E.I. 2002, c.10.
2. The registration fees payable each year by a farm business for registration under section 6 of the Act are as follows:
 - (a) where a farm business has an annual gross income for the immediately preceding taxation year of \$10,000 to \$99,999, the registration fee is \$150;
 - (b) where a farm business has an annual gross income for the immediately preceding taxation year of \$100,000 to \$250,000, the registration fee is \$250;

(c) where a farm business has an annual gross income for the immediately preceding taxation year in excess of \$250,000, the registration fee is\$375.

3. These regulations come into force on 15 March 2003.

EXPLANATORY NOTES

These regulations establish the fees payable by farm businesses for registration under the Act.

EC2003- 91

FINANCIAL ADMINISTRATION ACT POLAR FOODS INTERNATIONAL INC. GUARANTEE OF LOAN

Having under consideration the recommendation of Treasury Board (reference Minute TB443/02 of 5 March 2003), pursuant to subsection 32(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council agreed to guarantee payment of a Term Loan by Polar Foods International Inc. (hereinafter referred to as "the borrower") in an amount not exceeding twelve million dollars (\$12,000,000.00) (hereinafter referred to as the "guaranteed indebtedness") together with interest thereon at the rate of approximately 6% to the Bank of Nova Scotia of Grafton Street, Charlottetown, Prince Edward Island (hereinafter referred to as "the lender"), from the 4th day of March, 2003 through to and including 1700 hours on the 1st day of May 2010, the said guarantee to be subject to and conditional upon the following terms and conditions:

1. The guarantee shall absolutely expire and be null and void without notice to the lender at 1700 hours on the 1st day of May 2010 regardless of any advances that may have been made by the lender to the borrower unless on or before the 1st day of May 2010, notice has been given to the Government of Prince Edward Island, as represented by the Provincial Treasurer that the borrower has defaulted in repayment of the guaranteed indebtedness to the lender, and calling upon the Provincial Treasurer to pay the lender pursuant to the guarantee. The written notice shall include a copy of the written demand given by the lender to the borrower calling upon the borrower to pay the balance in full.
2. Government shall be entitled at any time to terminate the guarantee by paying to the lender such amount of the guaranteed indebtedness as may be owing by the borrower to the lender.
3. The Provincial Treasurer may add such further terms and conditions to the guarantee as she considers appropriate.
4. The guarantee shall not become effective until the lender has agreed in writing to the terms and conditions herein contained and those imposed by the Provincial Treasurer pursuant to paragraph 3 above.

EC2003-92

GRAIN ELEVATORS CORPORATION ACT
 PRINCE EDWARD ISLAND GRAIN ELEVATORS CORPORATION
 BOARD OF DIRECTORS
 APPOINTMENT

Pursuant to subsection 2(2) of the *Grain Elevators Corporation Act* R.S.P.E.I. 1988, Cap. G-5 Council made the following appointment:

NAME	TERM OF APPOINTMENT
Robert MacMillan	4 March 2003
Mount Stewart	to
(vice Blois Dingwell, term expired)	4 Mach 2006

Further, in accordance with subsection 2(3) of the said Act, Council designated Gordon Carter of Milton as vice-president (vice Blois Dingwell, term expired) for the balance of his term as a member expiring 17 June 2005, and John Bagnall of Hazel Grove as secretary-treasurer (vice Brenton Gardiner, term expired) for a term ending 4 May 2003.

EC2003-93

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ROBERT L. DUBOSE
 (APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Robert L. Dubose of Santee, South Carolina to acquire a land holding of approximately two decimal zero seven (2.07) acres of land in Lot 23, Queens County, Province of Prince Edward Island, being acquired from Chesley Clark and Shirley Clark, both of Cavendish, Prince Edward Island.

EC2003-94

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 CAROL HAMELINE
 (APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Carol Hameline of Murray Harbour, Prince Edward Island to acquire a land holding of approximately twenty-two decimal five (22.5) acres of land in Lot 60, Queens County, Province of Prince Edward Island, being acquired from Elmer Cecil MacPherson of Charlottetown, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 826214, was previously identified for non-development use in accordance

with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

EC2003-95

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JANET MOULAISON AND DAN MOULAISON
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Janet Moulaison and Dan Moulaison, both of Mississauga, Ontario to acquire a land holding of approximately twenty-one (21) acres of land in Lot 5, Prince County, Province of Prince Edward Island, being acquired from Keith Hardy and Lorraine Hardy, both of Brampton, Ontario.

Further, Council noted that the said land holding, being Provincial Property No. 759647, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

EC2003-96

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ALEXIS POWER AND LINDA POWER
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Alexis Power and Linda Power, both of Richmond Hill, Ontario to acquire a land holding of approximately one decimal zero nine (1.09) acres of land in Georgetown, Kings County, Province of Prince Edward Island, being acquired from Leslie King and Darlene King, both of Georgetown, Prince Edward Island.

EC2003-97

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ANDREWS TRACTOR PARTS 2001 LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Andrews Tractor Parts 2001 Ltd. of Kensington, Prince Edward Island to acquire a land holding of approximately seven decimal five one (7.51) acres of land in Lot 25, Prince County, Province of Prince Edward Island, being acquired from the Estate of Hillard Sterling Andrews and Helen Andrews, both of Kensington, Prince Edward Island.

EC2003-98

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HORSESHOE HILL ESTATES INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Horseshoe Hill Estates Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately forty-five decimal two eight (45.28) acres of land in Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Leroy MacLeod and Joyce MacLeod, both of Charlottetown, Prince Edward Island.

EC2003-99

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MAURICE MACDONALD INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Maurice MacDonald Inc. of Grand Tracadie, Prince Edward Island to acquire a land holding of approximately forty (40) acres of land in Lot 36, Queens County, Province of Prince Edward Island, being acquired from John Edward (Jackie) Baird and Helena Marie Baird, both of Auburn, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2003-100

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SHERWOOD BUILDING SUPPLIES LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Sherwood Building Supplies Ltd. of Charlottetown, Prince Edward Island to acquire a land holding of approximately zero decimal three (0.3) acres of land in Charlottetown, Queens County, Province of Prince Edward Island, being acquired from the Government of Prince Edward Island of Charlottetown, Prince Edward Island.

EC2003-101

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
URBAINVILLE FARMS LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Urbainville Farms Ltd. of Wellington, Prince Edward Island to acquire a land holding of approximately eleven decimal two five (11.25) acres of land in Lot 16, Prince County, Province of Prince Edward Island, being acquired from Joseph Rene Maddix of Urbainville, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2003-102

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 88484, LOT 21, QUEENS COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately one hundred and ninety-six (196) acres of land, being Provincial Property No. 88484 located in Lot 21, Queens County, Prince Edward Island and currently owned by MacEwen Farms Ltd. of New London, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately two hundred (200) square feet and determined that following subdivision, the subdivided land shall be consolidated with the adjacent Provincial Property No. 724814, and identification for non-development use shall continue to apply to the acreage remaining in Provincial Property No. 88484.

This Order-in-Council comes into force on 4 March 2003.

EC2003-103

**MARITIME PROVINCES HARNESS RACING COMMISSION ACT
MARITIME PROVINCES HARNESS RACING COMMISSION
APPOINTMENT**

Pursuant to section 4 of the *Maritime Provinces Harness Racing Commission Act* R.S.P.E.I. 1988, Cap. M-1.3 Council nominated the following for appointment:

NAME	TERM OF APPOINTMENT
Wendell Shaw Summerside (vice George Riley, term expired)	31 March 2003 to 31 March 2006

EC2003-104

**AN ACT TO AMEND THE
MARITIME PROVINCES HARNESS RACING COMMISSION ACT
DECLARATION RE**

Under authority of section 6 of *An Act to Amend the Maritime Provinces Harness Racing Commission Act* Stats. P.E.I. 2002, 4th Session, c. 17 Council ordered that a Proclamation do issue proclaiming the said "*An Act to Amend the Maritime Provinces Harness Racing Commission Act*" to come into force effective 1 March 2003.

EC2003-105

**PLANT HEALTH ACT
POTATOES REGULATIONS
AMENDMENT**

Pursuant to section 6 of the *Plant Health Act* R.S.P.E.I. 1988, Cap. P-9.1, Council made the following regulations:

1. Section 17(1) of the *Plant Health Act* Potatoes Regulations (EC138/95) is revoked and the following substituted:

- 17.** (1) Subject to subsections (2) to (4), every person growing more than 0.1 hectares, in total, of potatoes shall plant only seed potatoes from a lot Post-harvest test
required
- (a) that has undergone a post-harvest test;
 - (b) that has a post-harvest test level not exceeding 5.0%; and
 - (c) that has test results showing that the percentage of seed potatoes in the lot that are infected with Potato Leaf Roll Virus does not exceed 2%.

2. These regulations are deemed to have come into force on February 28, 2003.

EXPLANATORY NOTES

The amendment sets the virus cap on testing seed potatoes for Potato Leaf Roll Virus at 2%.

EC2003-106**PUBLIC DEPARTMENTS ACT
ACTING MINISTER
APPOINTMENT**

Under authority of subsection 4(2) of the *Public Departments Act*, R.S.P.E.I. 1988, Cap. P-29 the following appointment was made:

Honourable Elmer MacFadyen to be Acting Minister of Health and Social Services commencing on the 10th day of March 2003, and continuing for the duration of the absence from the Province of Honourable Jamie Ballem.