

EC2003-149

**FATHERS OF CONFEDERATION BUILDINGS ACT
FATHERS OF CONFEDERATION BUILDINGS TRUST
APPOINTMENT**

Pursuant to subsection 3(1) of the *Fathers of Confederation Buildings Act* R.S.P.E.I. 1988, Cap. F-6 Council made the following appointment:

NAME	TERM OF APPOINTMENT
Rob Sobey	25 March 2003
Stellarton, Nova Scotia	to
(vice Hon. Peter L. McCreath, term expired)	25 March 2006

EC2003-150

**FISHERIES ACT
REGULATIONS
AMENDMENT**

Pursuant to section 9 of the *Fisheries Act* R.S.P.E.I. 1988, Cap. F-13.01 Council made the following regulations:

1. Subsection 8(5) of the *Fisheries Act* Regulations (EC873/95) is revoked and the following substituted:

- (5) No pedlar shall peddle fish unless the fish has been purchased from ^{Purchase}
- (a) an operator who holds a processing license under these regulations; or
 - (b) a federally registered fish processing plant.

2. Subsection 11(1) of the regulations is amended

(a) by the deletion of the word “(5)” and the substitution of the word “(6)”; and

(b) by the deletion of the words “is liable to a fine of not less than \$200 and not more than \$1,000” and the substitution of the words “is liable to a fine of not less than \$500 and not more than \$2,000”.

3. Subsections 11(2) to (5) of the regulations are revoked and the following substituted:

- (2) A person who violates subsection 2(1), 5(1), 5(2), 6(4) or 10(3) is ^{Offence} guilty of an offence and liable on summary conviction,
- (a) for a first offence, to a fine of not less than \$10,000 and not more than \$100,000 or to imprisonment for 90 days, or to both; and

(b) for a second or subsequent offence, to a fine of not less than \$100,000 and not more than \$500,000 or to imprisonment for a period of not more than six months, or to both.

(3) A person who violates subsection 7(1), 7(15) or 10(4) is guilty of an offence and liable on summary conviction to a fine of not less than \$500 and not more than \$10,000 or to imprisonment for 90 days, or to both. *Idem*

(4) Where a violation of subsection 2(1), 5(1), 5(2), 6(4), 7(1), 7(15), 10(3) or 10(4) continues for more than one day, the person committing the offence is guilty of a separate offence for each day that the violation continues. *Offence, continued*

(5) A person who violates subsection 8(1), 8(5) or 10(5) is guilty of an offence and liable on summary conviction to a fine of not less than \$500 and not more than \$10,000. *Unlicensed peddling*

(6) A person who violates section 12 is guilty of an offence and liable on summary conviction to a fine of not less than \$2,000 and not more than \$4,000. *Penalty*

4. These regulations come into force on April 5, 2003.

EXPLANATORY NOTES

The amendments authorize increased penalties and ensure consistency with other provinces with respect to the quantum of penalty prescribed for offences contained in the regulations. The amendments ensure that fish pedlars are required to purchase fish from a provincially licensed fish processing plant or a federally registered fish processing plant.

EC2003-151

**SUMMARY PROCEEDINGS ACT
TICKET REGULATIONS
AMENDMENT**

Pursuant to section 10 of the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9, Council made the following regulations:

1. Schedule 2 of the *Summary Proceedings Act* Ticket Regulations (EC321/01) is amended by the revocation of the table entitled “Fisheries Act Regulations (EC873/95)” and the substitution of the following in the appropriate columns:

**FISHERIES ACT
Regulations
(EC873/95)**

1	Acting as buyer of fish without a buying license.....	7(1)	500
2	Buying species of fish without proper class of license.....	7(15)	500
3	Peddling fish without a license.....	8(1)	500
4	Pedlar not purchasing fish from licensed operator or federally registered processing plant.....	8(5)	500
5	Buying fish at a buying station while fish buying license under revocation, cancellation or suspension	10(4)	500
6	Peddling fish while fish peddling license under revocation, cancellation or suspension	10(5)	500
7	Contravention of Act or regulations where no penalty provided	11(1)	500

2. These regulations come into force on April 5, 2003.

EXPLANATORY NOTES

The amendments update the offence provisions in the *Summary Proceedings Act* Ticket Regulations for the *Fisheries Act* Regulations.

EC2003-152

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 220582, LOT 26, PRINCE COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
CANCELLATION

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council cancelled the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately two (2) acres of land, being Provincial Property No. 220582 located in Lot 26, Prince County, Prince Edward Island and currently owned by Sjoerd F.W. van Hasselt of Kelvin Grove, Prince Edward Island.

This Order-in-Council comes into force on March 25, 2003.

EC2003-153

AN ACT TO AMEND THE PESTICIDES CONTROL ACT
DECLARATION RE

Under authority of section 2 of *An Act to Amend the Pesticides Control Act* Stats. P.E.I. 2002, 4th Session, c. 18 Council ordered that a Proclamation do issue proclaiming the said "*An Act to Amend the Pesticides Control Act*" to come into force effective 1 April 2003.

EC2003-154

PESTICIDES CONTROL ACT
MINISTER OF ENVIRONMENT
DESIGNATION

Pursuant to clause 1(b) of *An Act to Amend the Pesticides Control Act* Stats. P.E.I. 2002, 4th Session, c. 18 Council designated the Minister of Environment to be responsible for the administration of the *Pesticides Control Act*, effective 25 March 2003.

EC2003-155

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 Pat Binns to be Acting Provincial Treasurer commencing on the 24th day of March 2003, and continuing for the duration of the absence from the Province of Honourable Patricia Mella.