

EC2004-478

ENVIRONMENTAL PROTECTION ACT
ENVIRONMENTAL ADVISORY COUNCIL
APPOINTMENTS

Pursuant to section 4 of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9 Council made the following appointments:

NAME	TERM OF APPOINTMENT
Ron Perry Summerside (reappointed)	31 August 2004 to 31 August 2007
Sherra Profit Summerside (reappointed)	31 August 2004 to 31 August 2007

Further, in accordance with clause 4(4)(a) of the said Act, Council designated Ron Perry to continue as chair for the duration of his term as a member.

EC2004-479

HEALTH AND COMMUNITY SERVICES ACT
AUTHORIZATION TO ISSUE MINISTERIAL ORDER
RE TRANSFER OF REAL PROPERTY ASSETS
OF FORMER PRINCE COUNTY HOSPITAL

Pursuant to clause 16.04(1)(e)(ii) of the *Health and Community Services Act*, R.S.P.E.I. 1988, Cap. H-1.1, Council authorized the Minister of Health and Social Services to issue an order to transfer the real property assets of the former Prince County Hospital from the Provincial Health Services Authority to the Government of Prince Edward Island as represented by the Minister of Transportation and Public Works.

EC2004-480

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 GWEN L. HALL AND KENNETH B. PARKHURST
 (APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Gwen L. Hall and Kenneth B. Parkhurst, both of Dresden, Maine to acquire a land holding of approximately ninety-six (96) acres of land in Lot 56, Kings County, Province of Prince Edward Island, being acquired from Eleanor Heslin of Palm Beach Shores, Florida 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.

EC2004-481

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 LISA ANNE MATHIESON AND JOSEPH ALEXANDER MATHIESON
 (APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Lisa Anne Mathieson and Joseph Alexander Mathieson, both of Hamilton, Ontario to acquire a land holding of approximately thirty-six decimal two (36.2) acres of land in Lot 51, Kings County, Province of Prince Edward Island, being acquired from Dianne Silliker of Kensington, 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.

EC2004-482

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 GF HOLDINGS INC.
 (TO RESCIND)

Council, having under consideration Order-in-Council EC2001-215 of 17 April 2001, rescinded the said Order forthwith, thus rescinding permission for GF Holdings Inc. of Montague, Prince Edward Island to acquire zero decimal seven four (0.74) acres of land in Lot 52, Kings County, Prince Edward Island from Munroe Real Estate Ltd. of Montague, Prince Edward Island.

EC2004-483

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 GF HOLDINGS INC.
 (TO RESCIND)

Council, having under consideration Order-in-Council EC2001-216 of 17 April 2001, rescinded the said Order forthwith, thus rescinding permission for GF Holdings Inc. of Montague, Prince Edward Island to acquire forty-five (45) acres of land in Lot 52, Kings County, Prince Edward Island from Leonard Munroe of Montague, Prince Edward Island.

EC2004-484

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 CFM MANAGEMENT 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 CFM Management Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately two (2) acres of land in Lot 48, Queens County, Province of Prince Edward Island, being acquired from McInnes Cooper in Trust of Charlottetown, Prince Edward Island.

EC2004-485

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 LAWRENCEVILLE INVESTMENTS (2001) 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 Lawrenceville Investments (2001) Inc. of Hunter River, Prince Edward Island to acquire a land holding of approximately ninety-two (92) acres of land in Lot 23, Queens County, Province of Prince Edward Island, being acquired from Irene Stevenson of Hunter River, 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.

EC2004-486

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PAN-AMERICAN TRUST COMPANY
(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 Pan-American Trust Company of Charlottetown, Prince Edward Island to acquire a land holding of approximately nineteen decimal one two (19.12) acres of land in Lot 52, Kings County, Province of Prince Edward Island, being acquired from Timothy R. Banks of Charlottetown, Prince Edward Island.

EC2004-487

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PAN-AMERICAN TRUST COMPANY
(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 Pan-American Trust Company of Charlottetown, Prince Edward Island to acquire a land holding of approximately three decimal five (3.5) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Prince Edward Island Business Development Inc. of Charlottetown, Prince Edward Island.

EC2004-488

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SUNSET DUNES AT BELLS POINT 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 Sunset Dunes at Bells Point Inc. of Cornwall, Prince Edward Island to acquire a land holding of approximately seventeen decimal two (17.2) acres of land in Lot 28, Prince County, Province of Prince Edward Island, being acquired from Shaun MacIsaac and Heather MacIsaac, both of Cornwall, Prince Edward Island.

EC2004-489

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
TOWN OF CORNWALL
(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 the Town of Cornwall, Prince Edward Island to acquire a land holding of approximately fourteen decimal eight eight (14.88) acres of land in Lot 32, Queens County, Province of Prince Edward Island, being acquired from Parker Beer and Jean Beer, both of Cornwall, Prince Edward Island.

EC2004-490

NATURAL PRODUCTS MARKETING ACT
PRINCE EDWARD ISLAND MARKETING COUNCIL
APPOINTMENTS

Pursuant to subsection 2(2) of the *Natural Products Marketing Act* R.S.P.E.I. 1988, Cap. N-3 Council made the following appointments:

NAME	TERM OF APPOINTMENT
as member and chairperson	
Allison Ellis West Cape (vice Kenneth MacLellan, term expired)	31 August 2004 to 31 August 2007
as members	
Gordon Ching Souris (reappointed)	5 June 2004 to 5 June 2007
Axel Irving Beach Point (reappointed)	5 June 2004 to 5 June 2007

EC2004-491

**PRINCE EDWARD ISLAND SCIENCE AND TECHNOLOGY ACT
BOARD OF DIRECTORS
APPOINTMENTS**

Pursuant to subsection 2(2) of the *Prince Edward Island Science and Technology Corporation Act* R.S.P.E.I. 1988, Cap. P-19.1 Council made the following appointments:

NAME	TERM OF APPOINTMENT
via clause (e)	
Alan Baker Murray River	31 August 2004 to 31 December 2006
Dr. Murray MacLaughlan Guelph, Ontario	31 August 2004 to 31 December 2006
Allan Stoolmiller Stanhope	31 August 2004 to 31 December 2006
via clause (f)	
Paul Bernard Summerside	31 August 2004 to 31 December 2005

EC2004-492

**TOURISM INDUSTRY ACT
REGULATIONS
AMENDMENT**

Pursuant to section 11 of the *Tourism Industry Act* R.S.P.E.I. 1988, Cap. T-3.3, Council made the following regulations:

1. Section 1 of the *Tourism Industry Act* Regulations (EC267/99) is amended

- (a) by the deletion of clause (i);**
- (b) in subclause 1(j)(i), by the deletion of the word “four” and the substitution of the word “one”; and**
- (c) by the addition of the following:**

(s.1) “tourist home” means a tourism establishment, including a tourist home tourist home, that is a private residence having up to ten bedrooms where

- (i) the bedrooms are assigned for the exclusive use of a guest or party of guests, and
- (ii) hospitality is provided directly by the tourism operator;

2. Section 5 of the regulations is amended by the addition of the following:

(5) Where the structure and layout of the accommodations of a tourism establishment have, in the opinion of the Minister, been significantly changed after the tourism establishment began participating in the quality incentive program, the Minister may, by notice to the tourism operator of the tourism establishment, terminate the participation of the tourism establishment in the quality incentive program.

Termination of participation

(6) Where the participation of a tourism establishment in the quality incentive program is terminated under subsection (5), the tourism establishment may subsequently be eligible to participate in the quality incentive program if the tourism establishment

Eligibility

- (a) is inspected by a tourism standards officer; and
- (b) is found by the tourism standards officer to meet the criteria of eligibility set out in subsection (2).

3. Section 7 of the regulations is amended

(a) by the deletion of the words “an accommodation or suite” and the substitution of the words “a rental unit”;

(b) by the addition of the word “and” after clause (b);

(c) by the deletion of the words “; and” after clause (c) and the substitution of a period; and

(d) by the revocation of clause (d).

4. The regulations are amended by the addition of the following after section 7:

7.1 No tourism operator shall permit a guest to be assigned a rental unit unless the guest has signed the register or someone acting on the direction of the guest has signed the register for the guest.

Signing register

5. The regulations are amended by the addition of the following after section 8:

Occupancy Returns

8.1 (1) Every tourism operator shall, in accordance with subsection (2), file with the Department a completed occupancy return in a form approved by the Minister for each month that a tourism establishment is operated by the tourism operator.

Filing and form

(2) An occupancy return shall be filed with the Department by the tenth day of the month following the month for which the occupancy return is filed.

Date due

6. (1) Section 10 of the regulations is revoked and the following substituted:

10. Every tourism operator of a tourism establishment shall ensure that all drinking water provided for guests from a tap, faucet, fountain or other source at the tourism establishment is of a quality suitable for drinking purposes as determined by the Chief Health Officer, Department of Health and Social Services.

Quality

(2) Section 11 of the regulations is revoked.

(3) Section 12 and subsection 13(1) are revoked and the following substituted:

12. Where the drinking water provided to guests at a tourism establishment is not obtained from a municipal water system, the tourism operator of the tourism establishment shall cause the drinking water to be tested, every 3 months or part thereof during a calendar year that the tourism establishment is receiving guests, by a laboratory accredited by the Standards Council of Canada.

Tests of drinking water

13. (1) Where a test of drinking water conducted in accordance with section 12 discloses that the drinking water is not fit for human consumption, the tourism operator shall immediately

Water unfit for human consumption

- (a) notify the Department of Health and Social Services of the test results;
- (b) carry out any instructions given by the Department of Health and Social Services to control access to or the use of the drinking water; and
- (c) carry out any instructions given by the Department of Environment and Energy to render the water fit for human consumption.

7. Section 14 of the regulations is revoked and the following substituted:

14. Every tourism operator of a tourism establishment shall have available for inspection, on request by a tourism standards officer, a copy of the report issued by a laboratory referred to in section 12 in respect of the most recent test conducted in accordance with that section of the drinking water at the tourism establishment.

Water quality report

8. Section 15 of the regulations is revoked.

9. Section 20 of the regulations is revoked.

10. Section 28 of the regulations is amended by the deletion of the words “rate charges per person for guests accommodated in the unit” and the substitution of the words “maximum rental rate charges for guests accommodated in the rental unit, camping cabin or travel trailer”.

11. Section 39 of the regulations is amended by the addition of the words “and one window” after the words “at least one door”.

12. Subsection 40(1) of the regulations is amended by the deletion of the words “Hospitality Home establishment” and the substitution of the words “tourist home”.

13. Section 49 of the regulations is amended by the addition of the words “and cooling devices” after the words “heating device”.

14. Clause 95(j) of the regulations is amended by the addition of the words “and functioning carbon dioxide sensor” after the words “smoke alarm”.

15. Section 101 of the regulations is revoked and the following substituted:

101. No tourism operator of a tourism establishment shall charge a rental rate for a rental unit at the tourism establishment that is higher than the maximum rental rate that is specified for the rental unit on the last tourism establishment license application submitted under section 2 for the tourism establishment by the tourism operator.

No alteration of rates

16. Form 1 of Schedule 1 of the regulations is revoked and Form 1 as set out in Schedule 1 of these regulations is substituted.

17. Schedule 2 of the regulations is revoked and Schedule 2 as set out in Schedule 2 of these regulations is substituted.

18. These regulations come into force on September 11, 2004.

Part 2: Campgrounds

1. The fees prescribed for an application for a tourism establishment license in respect of a campground are as follows:

Year of application	Number of Sites	Fee
2004	1- 100	\$100
2004	101 -250	\$150
2004	251 or more	\$175
2005	1-100	\$120
2005	101-250	\$180
2005	251 or more	\$210
2006	1-100	\$140
2006	101 -250	\$210
2006	251 or more	\$245

EXPLANATORY NOTES

SECTION 1 adds a definition for a “tourist home” and deletes the definition of a “Hospitality Home establishment”. The section also reduces the number of rental units required in the definition of a “Hotel or Motel establishment”.

SECTION 2 provides that the participation of a tourism establishment in the quality incentive program may be terminated if the tourism establishment has undergone a significant structural change.

SECTION 3 corrects some minor wording inconsistencies and removes an unnecessary provision.

SECTION 4 requires a guest to sign the register of a tourism establishment.

SECTION 5 provides for the completion of occupancy returns.

SECTION 6 and 7 amend the requirements respecting drinking water to require more frequent inspection and the provision of water quality reports.

SECTION 8 and 9 repeal unnecessary provisions respecting sewage systems and signage.

SECTION 10 and 15 make wording corrections to provisions concerning maximum rental rates.

SECTION 11 requires a rental unit to have a window.

SECTION 12 substitutes the expression “tourist home” for the expression “Hospitality Home Establishment”.

SECTION 13 require cooling devices in a rental unit to meet the requirements of the Fire Marshall.

SECTION 14 requires a trailer to be equipped with a functioning carbon dioxide sensor.

SECTION 16 and 17 add a new license application form and change the fees payable for tourism establishment licenses.

SECTION 18 provides for the commencement of these regulations.

EC2004-493**WORKERS COMPENSATION ACT
APPEAL REGULATIONS
AMENDMENT**

Pursuant to section 80 of the *Workers Compensation Act* R.S.P.E.I. 1988, Cap.W-7.1, Council approved the following regulations made by the Workers Compensation Board:

- 1. Section 1 of the *Workers Compensation Act Appeal Regulations (EC357/95)* is amended by the deletion of the words “60 Belvedere Avenue” and the substitution of the words “14 Weymouth Street”.**
- 2. These regulations come into force on September 11, 2004.**

EXPLANATORY NOTES

These regulations are required to change the filing address listed in the regulations for the Workers Compensation Board. The Board moved to 14 Weymouth Street, Charlottetown in 1996.

EC2004-494**WORKERS COMPENSATION ACT
GENERAL REGULATIONS
AMENDMENT**

Pursuant to section 80 of the *Workers Compensation Act* R.S.P.E.I. 1988, Cap.W-7.1, Council approved the following regulations made by the Workers Compensation Board:

- 1. Section 1.1 of the *Workers Compensation Act General Regulations (EC831/94)* is revoked and the following substituted:**

1.1 In the Act or these regulations, “Canada Pension Plan” or “CPP” means the Canada Pension Plan established by the *Canada Pension Plan Act*. Canada Pension Plan or CPP

- 2. Section 10 is revoked.**
- 3. These regulations come into force on September 11, 2004.**

EXPLANATORY NOTES

The amendments revoke some definitions and a provision respecting chronic pain as a result of the recent repeal of provisions in the *Workers Compensation Act* dealing with this subject.