

**EC2004-553**

PUBLIC DEPARTMENTS ACT  
DEPARTMENTS OF GOVERNMENT  
AND  
MINISTERS OF THE CROWN  
ESTABLISHMENT, VARIANCE,  
CHANGES OF NAME  
AND  
TRANSFERS

Pursuant to subsection 5(1) of the *Public Departments Act* R.S.P.E.I. 1988,  
Cap. P-29 Council

1. Disestablished the Department of Agriculture, Fisheries, Aquaculture and Forestry.
2. Disestablished the Department of Environment and Energy.
3. (a) established the Department of Agriculture, Fisheries and Aquaculture;  
  
(b) styled the title of the Minister presiding over the said department the Minister of Agriculture, Fisheries and Aquaculture;  
  
(c) styled the title of the Deputy Minister of the said department the Deputy Minister of Agriculture, Fisheries and Aquaculture; and  
  
(d) transferred to the said department and to the said Minister, all powers, duties and functions previously held by the Minister of Agriculture, Fisheries, Aquaculture and Forestry, *except* those relating to forestry.
4. (a) established the Department of Environment, Energy and Forestry;  
  
(b) styled the title of the Minister presiding over the said department the Minister of Environment, Energy and Forestry;  
  
(c) styled the title of the Deputy Minister of the said department the Deputy Minister of Environment, Energy and Forestry; and,  
  
(d) transferred to the said department and to the said Minister
  - (i) all powers, duties and functions previously held by the Minister of Environment and Energy, and
  - (ii) powers duties and functions relating to forestry, previously held by the Minister of Agriculture, Fisheries, Aquaculture and Forestry including

responsibility for all programs and services of the Forestry and Land Resource Modelling Division.

This Order comes into force effective 5 October 2004.

**EC2004-554**

EXECUTIVE COUNCIL  
THE MINISTRY  
5 OCTOBER 2004

Council noted that the following appointments to the Executive Council and to the various Ministries were recommended to His Honour by the Honourable Premier, and that it was His Honour's pleasure to make the said appointments:

**PREMIER, PRESIDENT OF THE EXECUTIVE COUNCIL, and  
MINISTER RESPONSIBLE FOR INTERGOVERNMENTAL AFFAIRS**

Honourable Patrick G. Binns

**MINISTER OF DEVELOPMENT AND TECHNOLOGY**

Honourable Michael F. Currie

**PROVINCIAL TREASURER**

Honourable P. Mitchell Murphy

**MINISTER OF HEALTH AND SOCIAL SERVICES**

Honourable J. Chester Gillan

**MINISTER OF ENVIRONMENT, ENERGY AND  
FORESTRY**

Honourable James W. Ballem

**MINISTER OF TRANSPORTATION AND PUBLIC WORKS**

Honourable Gail A. Shea

**MINISTER OF COMMUNITY AND CULTURAL AFFAIRS**

Honourable Elmer E. MacFadyen

**MINISTER OF AGRICULTURE, FISHERIES AND AQUACULTURE**

Honourable Kevin J. MacAdam

**MINISTER OF EDUCATION and ATTORNEY GENERAL**

Honourable Mildred A. Dover

**MINISTER OF TOURISM**

Honourable Philip W. Brown

**EC2004-555**

EXECUTIVE COUNCIL  
MINISTERIAL RESPONSIBILITY  
FOR THE  
ADMINISTRATION AND SUPERVISION OF CERTAIN STATUTES  
DESIGNATION BY THE LIEUTENANT GOVERNOR IN COUNCIL  
AS AT 5 OCTOBER 2004

1. **ADVISORY COUNCIL ON THE STATUS OF WOMEN ACT**  
R.S.P.E.I. 1988, Cap. A-6, clause 1(a)  
  
Minister of Transportation and Public Works
2. **AGRICULTURAL PRODUCTS STANDARDS ACT**  
R.S.P.E.I. 1988, Cap. A-9, clause 1(i)  
  
Minister of Agriculture, Fisheries and Aquaculture
3. **APPRENTICESHIP AND TRADES QUALIFICATION ACT**  
R.S.P.E.I. 1988, Cap. A-15.1, clause 1(j)  
  
Minister of Education
4. **ARCHIVES AND RECORDS ACT**  
R.S.P.E.I. 1988, Cap. A-19.1, clause 1(d)  
  
Minister of Community and Cultural Affairs
5. **AREA INDUSTRIAL COMMISSION ACT**  
R.S.P.E.I. 1988, Cap. A-20, clause 1(e)  
  
Minister of Development and Technology
6. **AUTOMOBILE JUNK YARDS ACT**  
R.S.P.E.I. 1988, Cap. A-25, clause 1(d)  
  
Minister of Environment, Energy and Forestry
7. **(PRINCE EDWARD ISLAND)  
BUSINESS DEVELOPMENT INC. ACT**  
R.S.P.E.I. 1988, Cap. B-6.2, clause 1(e)  
  
Minister of Development and Technology
8. **CHARITIES ACT**  
R.S.P.E.I. 1988, Cap. C-4, clause 1(c)  
  
Attorney General
9. **CHIROPRACTIC ACT**  
R.S.P.E.I. 1988, Cap. C-7.1, clause 1(i)  
  
Minister of Health and Social Services

10. CONSUMER REPORTING ACT  
R.S.P.E.I. 1988, Cap. C-20, clause 1(1)(g)  
  
Attorney General
11. CROWN BUILDING CORPORATION ACT  
R.S.P.E.I. 1988, Cap. C-31, clause 1(d)  
  
Minister of Transportation and Public Works
12. DENTURISTS ACT  
R.S.P.E.I. 1988, Cap. D-6.1, clause 1(f)  
  
Minister of Health and Social Services
13. DOG ACT  
R.S.P.E.I. 1988, Cap. D-13, clause 1(h)  
  
Minister of Agriculture, Fisheries and Aquaculture
14. ELECTRONIC COMMERCE ACT  
R.S.P.E.I. 1988, Cap. E-4.1, clause 1(d)  
  
Attorney General
15. ELECTRIC POWER ACT  
R.S.P.E.I. 1988, Cap. E-4, clause 1(d)  
  
Minister of Environment, Energy and Forestry
16. ELEVATORS AND LIFTS ACT  
R.S.P.E.I. 1988, Cap. E-5, clause 1(p)  
  
Minister of Community and Cultural Affairs
17. EMERGENCY 911 ACT  
R.S.P.E.I. 1998, Cap. E-5.1, clause 1(d)  
  
Minister of Community and Cultural Affairs
18. EMERGENCY MEASURES ACT  
R.S.P.E.I. 1988, Cap. E-6.1, clause 1(h)  
  
Minister of Community and Cultural Affairs
19. EMPLOYMENT DEVELOPMENT AGENCY ACT  
R.S.P.E.I. 1988, Cap. E-6.02, clause 1(c)  
  
Minister of Development and Technology
20. ENERGY CORPORATION ACT  
R.S.P.E.I. 1988, Cap. E-7, clause 1(e)  
  
Minister of Environment, Energy and Forestry

21. EXPROPRIATION ACT  
R.S.P.E.I. 1988, Cap. E-13, clause 1(e)  
  
Minister of Transportation and Public Works
22. FARM MACHINERY DEALERS AND VENDORS ACT  
R.S.P.E.I. 1988, Cap. F-4.01, clause 1(e)  
  
Minister of Agriculture, Fisheries and Aquaculture
23. FIRE PREVENTION ACT  
R.S.P.E.I. 1988, Cap. F-11, clause 1(e)  
  
Minister of Community and Cultural Affairs  
  
via clause 25(b) for Part VII only  
  
Minister of Environment, Energy and Forestry
24. FISH INSPECTION ACT  
R.S.P.E.I. 1988, Cap. F-13, clause 1(f)  
  
Minister of Agriculture, Fisheries and Aquaculture
25. FREEDOM OF INFORMATION AND PROTECTION  
OF PRIVACY ACT  
R.S.P.E.I. 1988, Cap. F-15.01, clause 1(f)  
  
Attorney General
26. FRENCH LANGUAGE SERVICES ACT  
R.S.P.E.I. 1988, Cap F-15.1, clause 1(b)  
  
Minister of Community and Cultural Affairs  
(as Minister responsible for Acadian and Francophone Affairs)
27. HIGHWAY SIGNAGE ACT  
R.S.P.E.I. 1988, Cap. H-4.1, clause 1(g)  
  
Minister of Tourism
28. HUMAN RIGHTS ACT  
R.S.P.E.I. 1988, Cap. H-12, clause 1(1)(i)  
  
Attorney General
29. INSURANCE ACT  
R.S.P.E.I. 1988, Cap. I-4, clause 1(l.2)  
  
Attorney General
30. LAND SURVEYORS ACT  
R.S.P.E.I. 1988, Cap. L-3, clause 1(g)  
  
Minister of Transportation and Public Works Act

31. LANDS PROTECTION ACT, PRINCE EDWARD ISLAND  
R.S.P.E.I. 1988, Cap. L-5, clause 1(1)(h)  
  
Minister of Community and Cultural Affairs
32. LENDING AGENCY ACT  
R.S.P.E.I. 1988, Cap. L-8.2, clause 1(d)  
  
Provincial Treasurer
33. LIGHTNING ROD ACT  
R.S.P.E.I. 1988, Cap. L-12, clause 1(d)  
  
Minister of Community and Cultural Affairs
34. LIQUOR CONTROL ACT  
R.S.P.E.I. 1988, Cap. L-14, subsection 87(1)  
  
Minister of Development and Technology
35. LOTTERIES COMMISSION ACT  
R.S.P.E.I. 1988, Cap. L-17, clause 1(b)  
  
Provincial Treasurer
36. MUNICIPAL DEBENTURE GUARANTEE ACT  
R.S.P.E.I. 1988, Cap. M-12, clause 1(a)  
  
Minister of Community and Cultural Affairs
37. NATIONAL PARK ACT  
R.S.P.E.I. 1988, Cap. N-1  
  
Minister of Tourism
38. NATURAL GAS DISTRIBUTION ACT (when proclaimed)  
Stats. P.E.I. 1999, c. 37, clause 1(k)  
  
Minister of Environment, Energy and Forestry
39. NATURAL PRODUCTS MARKETING ACT  
R.S.P.E.I. 1988, Cap. N-3, subsection 2(11)  
  
Minister of Agriculture, Fisheries and Aquaculture
40. OCCUPATIONAL HEALTH AND SAFETY ACT  
R.S.P.E.I. 1988, Cap. O-1.01, clause 1(k)  
  
Minister of Community and Cultural Affairs
41. OFF-HIGHWAY VEHICLE ACT  
R.S.P.E.I. 1988, Cap. O-3, clause 1(e)  
  
Minister of Transportation and Public Works

42. OIL AND NATURAL GAS ACT  
R.S.P.E.I. 1988, Cap. 0-5, clause 1(h.1)  
  
Minister of Environment, Energy and Forestry
43. PESTICIDES CONTROL ACT  
R.S.P.E.I. 1988, Cap. P-4, clause 1(f)  
  
Minister of Environment, Energy and Forestry
44. POWER ENGINEERS ACT  
R.S.P.E.I. 1988, Cap. P-15, clause 1(j)  
  
Minister of Community and Cultural Affairs
45. PRIVATE TRAINING SCHOOLS ACT  
R.S.P.E.I. 1988, Cap. P-20.1, section 1(d)  
  
Minister of Education
46. PROBATION ACT  
R.S.P.E.I. 1988, Cap. P-22, section 2  
  
Attorney General
47. PROVINCIAL BUILDING CODE ACT  
R.S.P.E.I. 1988, Cap. P-24, clause 1(g)  
  
Minister of Community and Cultural Affairs
48. PROVINCIAL COURT ACT  
R.S.P.E.I. 1988, Cap. P-25, clause 1(d)  
  
Attorney General
49. REAL PROPERTY ASSESSMENT ACT  
R.S.P.E.I. 1988, Cap. R-4, clause 1(g)  
  
Provincial Treasurer
50. RECREATION DEVELOPMENT ACT  
R.S.P.E.I. 1988, Cap. R-8, clause 1(d)  
  
Minister of Tourism
51. (PRINCE EDWARD ISLAND)  
SCIENCE AND TECHNOLOGY CORPORATION ACT  
R.S.P.E.I. 1988, Cap. P-19.1, clause 1(d)  
  
Minister of Development and Technology
52. SMOKE FREE PLACES ACT  
R.S.P.E.I. 1988, Cap. S-4.2, clause 1(j)  
  
Minister of Health and Social Services

53. TOURISM INDUSTRY ACT  
R.S.P.E.I. 1988, Cap. T-3.3, clause 1(f)

Minister of Tourism

54. TOURISM PEI ACT  
R.S.P.E.I. 1988, Cap. T-3.4, clause 1(c)

Minister of Tourism

55. UNSIGHTLY PROPERTY ACT  
R.S.P.E.I. 1988, Cap. U-5, clause 1(e)

Minister of Environment, Energy and Forestry

Order-in-Council EC2004-148 of 16 March 2004 is hereby rescinded.

**EC2004-556**

CIVIL SERVICE ACT  
PUBLIC SERVICE COMMISSION  
CHIEF EXECUTIVE OFFICER - APPOINTMENT  
ELAINE NOONAN  
APPOINTMENT  
(TO RESCIND)

Council, having under consideration Order-in-Council EC2000-401 of 11 July 2000, rescinded the said Order, thus rescinding the appointment of Elaine Noonan as Chief Executive Officer of the Public Service Commission effective 18 October 2004.

**EC2004-557**

CIVIL SERVICE ACT  
PUBLIC SERVICE COMMISSION  
CHIEF EXECUTIVE OFFICER - APPOINTMENT  
JIM FERGUSON  
(APPROVED)

Pursuant to section 5 of the *Civil Service Act* R.S.P.E.I. 1988, Cap. C-8 Council appointed Jim Ferguson to serve at pleasure as Chief Executive Officer of the Public Service Commission effective 18 October 2004.

**EC2004-558**

EXECUTIVE COUNCIL ACT  
ACTING CLERK OF THE EXECUTIVE COUNCIL  
W. ALEXANDER (SANDY) STEWART - APPOINTMENT  
(TO RESCIND)

Council, having under consideration Order-in-Council EC2004-309 of 1 June 2004, rescinded the said Order, thus rescinding the appointment of W. Alexander (Sandy) Stewart as Acting Clerk of the Executive Council effective 12 October 2004.



**EC2004-559**

EXECUTIVE COUNCIL ACT  
 CLERK OF THE EXECUTIVE COUNCIL  
 W. ALEXANDER (SANDY) STEWART  
 APPOINTMENT  
 (APPROVED)

Pursuant to subsection 5(1) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12, Council appointed W. Alexander (Sandy) Stewart to serve at pleasure as Clerk of the Executive Council effective 12 October 2004 and with seniority as a deputy head dating from 1 June 2004.

**EC2004-560**

PUBLIC DEPARTMENTS ACT  
 DEPARTMENT OF AGRICULTURE, FISHERIES AND AQUACULTURE  
 DEPUTY MINISTER - APPOINTMENT  
 JOHN A. MACQUARRIE  
 (TO RESCIND)

Council, having under consideration Order-in-Council EC2001-427 of 17 July 2001, rescinded the said Order, thus rescinding the appointment of John A. MacQuarrie as Deputy Minister of Agriculture and Forestry effective 12 October 2004.

**EC2004-561**

PUBLIC DEPARTMENTS ACT  
 DEPARTMENT OF AGRICULTURE, FISHERIES AND AQUACULTURE  
 DEPUTY MINISTER - APPOINTMENT  
 WAYNE HOOPER  
 (APPROVED)

Pursuant to subsection 7(1) of the *Public Departments Act* R.S.P.E.I. 1988, Cap. P-29 Council appointed Wayne Hooper to serve at pleasure as Deputy Minister of Agriculture, Fisheries and Aquaculture effective 12 October 2004.

**EC2004-562**

PUBLIC DEPARTMENTS ACT  
 DEPARTMENT OF DEVELOPMENT AND TECHNOLOGY  
 DEPUTY MINISTER - APPOINTMENT  
 PAUL R. JELLEY  
 (TO RESCIND)

Council, having under consideration Order-in-Council EC2001-426 of 17 July 2001, rescinded the said Order, thus rescinding the appointment of Paul R. Jelley as Deputy Minister of Development and Technology effective 12 October 2004.

**EC2004-563**

PUBLIC DEPARTMENTS ACT  
 DEPARTMENT OF THE PROVINCIAL TREASURY  
 DEPUTY PROVINCIAL TREASURER - APPOINTMENT  
 MICHAEL L. O'BRIEN, C.A.  
 APPOINTMENT  
 (TO RESCIND)

Council, having under consideration Order-in-Council EC452/97 of 31 July 1997, rescinded the said Order, thus rescinding the appointment of Michael L. O'Brien, C.A. as Deputy Provincial Treasurer and Secretary to Treasury Board effective 12 October 2004.

**EC2004-564**

PUBLIC DEPARTMENTS ACT  
 DEPARTMENT OF DEVELOPMENT AND TECHNOLOGY  
 DEPUTY MINISTER - APPOINTMENT  
 MICHAEL L. O'BRIEN, C.A.  
 (APPROVED)

Pursuant to subsection 7(1) of the *Public Departments Act* R.S.P.E.I. 1988, Cap. P-29 Council appointed Michael L. O'Brien, C.A. to serve at pleasure as Deputy Minister of Development and Technology effective 12 October 2004 and with seniority as a Deputy Minister dating from 18 August 1997.

**EC2004-565**

PUBLIC DEPARTMENTS ACT  
 DEPARTMENT OF ENVIRONMENT, ENERGY AND FORESTRY  
 DEPUTY MINISTER - APPOINTMENT  
 JOHN A. MACQUARRIE  
 (APPROVED)

Pursuant to subsection 7(1) of the *Public Departments Act* R.S.P.E.I. 1988, Cap. P-29 Council appointed John A. MacQuarrie to serve at pleasure as Deputy Minister of Environment, Energy and Forestry effective 12 October 2004 and with seniority as a Deputy Minister dating from 17 July 2001.

**EC2004-566**

PUBLIC DEPARTMENTS ACT  
 DEPARTMENT OF THE PROVINCIAL TREASURY  
 DEPUTY MINISTER - APPOINTMENT  
 PAUL R. JELLEY  
 (APPROVED)

Pursuant to subsection 7(1) of the *Public Departments Act* R.S.P.E.I. 1988, Cap. P-29 Council appointed Paul R. Jelley to serve at pleasure as Deputy Provincial Treasurer effective 12 October 2004 and with seniority as a Deputy Minister dating from 30 August 2000.

Council noted that in his capacity as Deputy Provincial Treasurer, Mr. Jelley shall serve as Secretary to the Treasury Board in accordance with subsection 8(4) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12.

**EC2004-567**

PUBLIC DEPARTMENTS ACT  
 DEPARTMENT OF TOURISM  
 DEPUTY MINISTER - APPOINTMENT  
 FRANK M. BUTLER  
 (TO RESCIND)

Council, having under consideration Order-in-Council EC1998-502 of 31 July 1998, rescinded the said Order, thus rescinding the appointment of Frank M. Butler as Deputy Minister of Tourism effective 12 October 2004.

**EC2004-568**

PRINCE EDWARD ISLAND BUSINESS DEVELOPMENT INC. ACT  
 PRINCE EDWARD ISLAND BUSINESS DEVELOPMENT INC.  
 CHIEF EXECUTIVE OFFICER - APPOINTMENT  
 KENT SCALES  
 (TO RESCIND)

Council, having under consideration Order-in-Council EC2000-475 of 1 August 2000, rescinded the said Order, thus rescinding the appointment of Kent Scales as Chief Executive Officer of Prince Edward Island Business Development Inc. effective 12 October 2004.

**EC2004-569**

PUBLIC DEPARTMENTS ACT  
 DEPARTMENT OF TOURISM  
 DEPUTY MINISTER - APPOINTMENT  
 KENT SCALES  
 (APPROVED)

Pursuant to subsection 7(1) of the *Public Departments Act* R.S.P.E.I. 1988, Cap. P-29 Council appointed Kent Scales to serve at pleasure as Deputy Minister of Tourism effective 12 October 2004.

**EC2004-570**

TOURISM PEI ACT  
 TOURISM PEI  
 CHIEF EXECUTIVE OFFICER - APPOINTMENT  
 FRANK M. BUTLER  
 (TO RESCIND)

Council, having under consideration Order-in-Council EC1999-469 of 24 August 1999, rescinded the said Order, thus rescinding the appointment of Frank M. Butler as Chief Executive Officer of Tourism PEI effective 12 October 2004.

**EC2004-571**

TOURISM PEI ACT  
TOURISM PEI  
CHIEF EXECUTIVE OFFICER - APPOINTMENT  
KENT SCALES  
(APPROVED)

Pursuant to subsection 4(1) of the *Tourism PEI Act* R.S.P.E.I. 1988, Cap. T-3.4, Council appointed Kent Scales to serve at pleasure as Chief Executive Officer of Tourism PEI effective 12 October 2004.

Further, Council appointed Mr. Scales as secretary and vice-chair of the Board of Directors (vice Frank Butler) in accordance with section 7 of the Act.