

EC2004-635

**BOILERS AND PRESSURE VESSELS ACT
REGULATIONS
AMENDMENT**

Pursuant to section 33 of the *Boilers and Pressure Vessels Act* R.S.P.E.I. 1988, Cap. B-5, Council made the following regulations:

1. Section 5.41 of the *Boilers and Pressure Vessels Act* Regulations (EC234/85) is revoked and the following substituted:

5.41 Every person who makes an application to the Chief Inspector for the registration of the design of a boiler, pressure vessel, pressure piping system or fitting shall pay the appropriate fee as follows: Fees

Cast iron boilers.....	\$300
Steel boilers.....	300
Pressure vessels.....	300
Heat exchangers.....	300

Where no survey of a design has been conducted for registration of a boiler, pressure vessel, pressure piping system or fitting, a filing fee of \$50 shall be paid by the applicant for the issuance of a Canadian Registration Number.

POWER PLANT PIPING

(a) not greater than 3,600 kW.....	\$ 85
(b) greater than 3,600 kW but not greater than 12,000 kW.....	130
(c) greater than 12,000 kW but not greater than 24,000 kW.....	165
(d) greater than 24,000 kW.....	240

HEATING PLANT PIPING

(a) not greater than 2,400 kW.....	\$ 75
(b) greater than 2,400 kW but not greater than 4,800 kW.....	80
(c) greater than 4,800 kW but not greater than 7,200 kW.....	90
(d) greater than 7,200 kW but not greater than 10,000 kW.....	100
(e) greater than 10,000 kW but not greater than 15,000 kW.....	110
(f) greater than 15,000 kW.....	120

REFINERIES, PETROCHEMICAL AND OTHER SIMILAR PIPING SYSTEMS

On registration of the design of a pressure piping system used in a refinery, petrochemical, medical gas, or other similar application, the fee is \$85 per hour with a minimum fee of \$170.

ADDITIONS TO OR ALTERATIONS OF A PRESSURE PIPING SYSTEM

The fee for design registration of additions to or alterations of a pressure piping system is \$85.

REGISTRATION OF FITTINGS

The manufacturer shall pay the following fees for the survey and registration of design drawings and Statutory Declaration Forms for fittings:

(a) single fitting.....	\$165
(b) a range of fittings in a single category.....	300
(c) catalogues and brochures.....	300
(d) filing fee.....	50

AMENDMENT TO DESIGNS

For registration of an amendment to a registered design,

(a) the standard fee is.....	\$ 85
(b) where calculations are involved, the fee is.....	170

Design changes involving shell thickness, diameter, working pressure, or tensile strength of material constitute a new design and the appropriate fees for registration of new designs shall be paid.

SHOP INSPECTIONS

The following fees are payable by the manufacturer for shop inspection of boilers, pressure vessels and pressure piping systems during their fabrication, alteration or repair and by contractors for shop inspection of new installations and alterations made to existing installations:

- (a) \$85 per hour during normal working hours;
- (b) \$125 per hour during other hours - minimum \$250.

CONTRACTOR'S LICENSE AND PERMIT

The fee for a contractor's license is \$125 per year payable on or before the expiry date of the license, subject to the qualification that where a contractor is licensed for the first time after July 1 in any year the fee is \$100.

The fee for a permit is \$25.

SPECIAL INSPECTIONS AND WELDER CERTIFICATION

Where, at the request of a manufacturer or contractor, a special inspection is conducted or a special service rendered or the certification test of a welder is conducted, the fee is \$85 per hour during normal working hours.

ADDITIONAL FEES

Where an inspection involves calculations respecting flanges and openings pursuant to the ASME Code, an additional fee of \$85 per hour for the calculation.

TRANSPORTATION

In addition to inspection fees, the transportation expenses of an inspector at the prevailing government rates are payable by the person for whom the services of the inspector are provided.

STAMPING

For stamping a boiler or pressure vessel with the markings and identification required by these regulations the fee is \$85 per hour.

2. Section 7.29 of the regulations is revoked and the following substituted:**7.29** The following fees for periodic inspection are payable:

(a) Cast iron heating boilers.....	\$ 50
(b) Heating boiler (steel)	
(i) not greater than 800 kW.....	\$ 50
(ii) greater than 800 kW but not greater than 1,800 kW.....	75
(iii) greater than 1,800 kW but not greater than 5,000 kW.....	125
(iv) greater than 5,000 kW but not greater than 12,000 kW.....	175
(v) greater than 12,000 kW but not greater than 36,000 kW.....	215
(vi) greater than 36,000 kW.....	215
plus \$1.00 per 1,000 kW or part thereof to a maximum fee of	600
(c) Power boilers	
(i) not greater than 600 kW.....	\$ 50
(ii) greater than 600 kW but not greater than 1,800 kW.....	85
(iii) greater than 1,800 kW but not greater than 5,000 kW.....	135
(iv) greater than 5,000 kW but not greater than 12,000 kW.....	185
(v) greater than 12,000 kW but not greater than 36,000 kW.....	210
(vi) greater than 36,000 kW but not greater than 75,000 kW.....	275
(vii) greater than 75,000 kW.....	275
plus \$1.00 per 1,000 kW or part thereof to a maximum fee of.....	600
(d) For pressure vessels and heat exchangers, the following fees shall apply to the first 3 m of overall length, beyond which an additional fee of \$10 for each 3 m or part thereof shall be applied:	
(i) not greater than 600 mm diameter.....	\$ 35
(ii) greater than 600 mm but not greater than 750 mm diameter.....	50
(iii) greater than 750 mm but not greater than 1,250 mm diameter.....	60
(iv) greater than 1,250 mm but not greater than 1,750 mm diameter.....	85
(v) greater than 1,750 mm but not greater than 2,500 mm diameter.....	110
(vi) greater than 2,500 mm but not greater than 3,000 mm diameter.....	125
(vii) greater than 3,000 mm diameter.....	150

3. Section 7.30 of the regulations is revoked and the following substituted:**7.30** The fee for

Fees, various

- | | |
|---|---------------|
| (a) calibrating a pressure gauge is..... | \$85 per hour |
| (b) witnessing the setting and sealing of a safety valve is..... | \$85 per hour |
| (c) a duplicate of a certificate of inspection is | \$30 |
| (d) a duplicate of an inspection report is | \$30 |
| (e) reinspection | |
| (i) where the order of the inspector has been carried out | No charge |
| (ii) where the order of the inspector has not been carried out within the specified time..... | \$200 |

4. Section 8.32 of the regulations is revoked and the following substituted:**8.32** (1) The manufacturer or contractor shall pay a fee according to the following scale for procedure registration and welder certification: Fees

- | | |
|---|---------------|
| (a) for the survey and registration of a welding procedure | \$60 |
| (b) for transfer of a welder's certificate | \$50 |
| (c) for a single procedure qualification test..... | \$85 per hour |
| (d) for a welder's all position certification test in one procedure | \$85 per hour |

- (e) for the certification test or retest of a welder on one position \$85 per hour

(2) The employer of a welder shall supply the necessary material for the qualification or certification tests. Materials

5. Section 9.33 of the regulations is revoked and the following substituted:

9.33 The following fees are payable Fees

- (a) license and certificate fees:
 - (i) for any class of plant license \$0.003 per litre of storage
(Minimum charge of \$25)
 - (ii) for an examination for a certificate under section 9.15\$20
 - (iii) for renewal of a certificate for each 12-month period\$20
 - (iv) for issue of a duplicate\$20
- (b) permit fees:
 - (i) for the initial review and issuance of an installation permit under section 9.08,
 - (A) for the first 211,000 kilojoules\$50 plus
 - (B) for each increment of 211,000 kilojoules or a fraction thereof\$20 to a maximum of\$500
 - (C) installation of or alteration to filling plants\$125
 - (D) installation of or alteration to dispensing unit\$85
 - (E) installation of or alteration to digester gas systems\$85 plus \$85 per hour for design review
- (c) inspection fees:
 - (i) for an inspection of a pressure vessel used in liquified petroleum gas service having a capacity greater than 454 kilograms of water the fees as set out in clause 7.29(d) apply
 - (ii) for inspection of new installations and alterations to existing systems meeting the requirements of sections 9.08 and 9.25 \$85 per hour
 - (iii) for inspection of new installations and alterations to existing systems that did not meet the requirements of section 9.08 or 9.25 at the time of activation\$220
 - (iv) for inspections defined as special inspections under clause 2.01(m) \$85 per hour
- (d) reinspections:
 - (i) where the order of the inspector has been carried out No charge
 - (ii) where the order of the inspector has not been carried out within the specified time\$200

6. Section 10.23 of the regulations is revoked and the following substituted:

10.23 The fee for the inspection of a medical gas piping system is \$85 per hour.

7. These regulations come into force on December 1, 2004.

EXPLANATORY NOTES

The amendments change the various fees established under the regulations.

EC2004-636

**ELECTRICAL INSPECTION ACT
REGULATIONS
AMENDMENT**

Pursuant to section 5 of the *Electrical Inspection Act* R.S.P.E.I. 1988, Cap. E-3, Council made the following regulations:

1. Subsections 5(7) and (8) of the *Electrical Inspection Act* Regulations (Aug. 1/40) are revoked.

2. Schedules 1 to 4 of the regulations are revoked and the following substituted:

**SCHEDULE 1
FLAT RATE FEE STRUCTURE**

- 1.1 For the inspection of the complete wiring system in a new single family dwelling or summer cottage, the fee is determined by the ampacity of the service, as follows:
 (a) for service capacity of 100 amperes or less, the fee is \$110
 (b) for service capacity of over 100 amperes, the fee is 150
- 1.2 For the inspection of the complete wiring system in a new two unit (duplex) dwelling, the fee is \$200
- 1.3 For the inspection of the complete wiring system in new apartment buildings and senior citizens homes consisting of three or more dwelling units
 (a) for the first two dwelling units, per unit, the fee is \$125
 (b) for each additional dwelling unit, the fee is 75
 (c) for commercial premises located in the building, the fee is determined from Schedule 2.
- 1.4 For the inspection of the connection or reconnection of a mobile home or a factory-constructed single family dwelling, the fee is:
 (a) per unit \$ 50
 (b) for any other electrical work carried out in the home or on the site, the fee is determined from Schedule 2.
- 1.5 For the inspection of the grounding of swimming pools, wading pools or ornamental pools, per pool, the fee is \$ 50
- 1.6 For the inspection of the installation for hot tubs and hydro massage spas, per tub or spa, the fee is \$ 35
- 1.7 For a special trip for the inspection of a trench containing raceways or conductors, per inspection, the fee is \$ 35

**SCHEDULE 2
ITEMIZED FEE SCHEDULE**

- 2.1 TEMPORARY SERVICES
 (a) 200 amperes or less (valid for a maximum of six months) \$ 45
 (b) over 200 amperes (valid for a maximum of one year) 100
- Temporary connection permits for temporary services may be issued at the discretion of the Department to enable supply authorities to supply power on a temporary basis, to temporary installations or uncompleted permanent installations.
- Temporary services may be renewed at the discretion of the Department.
- In the event of expiry or non-renewal of a permit, the power supply to a temporary service shall be disconnected.
- 2.2 SERVICES (UP TO 750 VOLTS) BASED ON THE AMPACITY OF THE EQUIPMENT
- AMPERES
 (a) up to 100 \$ 15
 (b) over 100 but not over 200 20
 (c) over 200 but not over 600 40
 (d) over 600 but not over 1,000 50
 (e) over 1,000 100
 (f) for each additional sub-service switch if installed at the same time by the same contractor, the fee is \$ 10
- For duplex houses and for similar installations where from two to six meters are installed without a main switch, the fee is calculated on the combined capacity of the individual service switches.
- OVER 750 VOLTS (HIGH VOLTAGE)
 All amperages \$125

- Note: Where the main service disconnecting means is mounted in a switchboard or panelboard, this fee is payable in addition to the fee for the switchboard or panelboard.
- 2.3 SWITCHBOARDS, DISTRIBUTION CENTRES AND MOTOR CONTROL CENTRES AND PANELS
- (a) each low voltage unit up to 600 amperes \$ 25
- (b) each low voltage unit over 600 amperes 30
- (c) each high voltage unit..... 50
- 2.4 OUTLETS
- Basic schedule (wiring only) per outlet \$ 1
- (minimum fee) \$ 15
- 2.5 FIXTURES
- (a) basic schedule for the first 200, per fixture.....\$0.50
- (minimum fee) \$ 15
- (b) over 200, each additional fixture.....\$0.40
- 2.6 PANELBOARDS
- Number of circuits
- (a) 1 - 42 \$ 15
- (b) over 42, each additional circuit\$0.40
- 2.7 MOTORS
- Each motor up to 750 volts horsepower/kilowatt
- (a) fractional \$ 10
- (b) 1 - 10 10
- (c) 11 and over 30
- Each motor over 750 volt horsepower/kilowatt
- (d) up to 50 \$ 47
- (e) 51 to 100 60
- (f) over 100..... 75
- 2.8 GENERATORS AND ALTERNATORS
- The fee for an electric generator or alternator is the same as for a motor of like capacity. There is no charge for an exciter that forms part of an alternator or a D.C. generator.
- 2.9 HEATING AND COOKING APPARATUS (DOMESTIC)
- (a) kitchen range, automatic dryer or electric furnace, each \$ 10
- (b) water heater, dishwasher or garburator, each..... 8
- 2.10 HEATING AND COOKING APPARATUS (COMMERCIAL AND INDUSTRIAL)
- Electric range, oven, deep fryer, steam generator, preheater, electric furnace and similar equipment, per unit \$ 15
- 2.11 FUEL BURNING EQUIPMENT (OIL, GAS OR WOOD FIRED)
- (a) domestic unit (up to 200,000 BTU), each \$ 12
- (b) commercial or industrial unit (over 200,000 BTU), each 20
- Note: For units with more than two motors, each additional motor is subject to the fee for a motor.
- 2.12 TRANSFORMERS AND CAPACITORS UP TO 750 PRIMARY VOLTS KVA
- (a) 1 to 30 \$ 20
- (b) 31 to 50..... 30
- (c) 51 and over 40
- OVER 750 PRIMARY VOLTS KVA
- (d) for each 75
- 2.13 HEATERS
- Combination radiator and fan (unit heaters), electric baseboard, duct heaters, ceiling radiant panels, and similar heating equipment
- (a) the first 1-4 units, each \$ 6
- (minimum fee)\$ 15
- (b) each additional unit 3
- (c) sauna heaters, each unit 20
- 2.14 FUEL DISPENSING DEVICES
- Motorless or self-contained motor driven dispensing devices
- (a) the first device \$ 25
- (b) each additional device 10
- 2.15 SIGNS AND MARQUEE LIGHTING
- Each installation \$ 25
- 2.16 X-RAY EQUIPMENT, HIGH FREQUENCY APPARATUS, ETC.
- (a) wiring for low-voltage or primary circuit \$ 40
- (b) wiring for high-voltage or secondary circuit 40
- 2.17 FIRE AND INTRUSION ALARM, ENERGY MANAGEMENT, NURSE CALL AND SIMILAR SYSTEMS
- Fire alarm supervisor stations, control and indicating or annunciator panels
- each unit (1-10 panels) \$ 50
- 2.18 AIR CONDITIONING AND REFRIGERATION UNITS
- (a) air conditioning and refrigeration units, each \$ 20
- (b) combination heating and cooling units, each..... 20
- (c) walk-in coolers and freezers, each 20
- Note: Additional motors associated with the above equipment shall be charged for as per the fee schedule for motors.
- 2.19 WELDERS, REGULATORS, BATTERY CHARGERS, ETC.

- For the installation of welders, voltage regulators, phase converters, battery chargers, regulators and dimming transformers
- (a) less than 750 volts and rated under 25 KVA, the fee is \$ 20
- (b) over 750 volts and rated over 25 KVA, the fee is..... 20
- 2.20 POWER OUTLETS (OUTLET BOX AND/OR RECEPTACLE)
Rated at 30 amperes and larger, each \$ 10
- 2.21 CARNIVALS
For each "set up" for travelling shows, midways, circuses and similar kinds of entertainment
- (a) the basic inspection fee is \$ 50
- (b) for each ride or booth, the fee is..... 10
- 2.22 CARE FACILITIES
For annual inspections for Community Care Facilities and Nursing Home Board licensing, the fee is..... \$ 40

**SCHEDULE 3
GENERAL**

- 3.1 MISCELLANEOUS INSPECTIONS
Inspection of installations that are not covered by the other Schedules or where the Schedules cannot be consistently applied will be charged under this heading at the rate of \$40 per half hour or part thereof.
- 3.2 SPECIAL INSPECTIONS AND INSPECTIONS FOR SPECIAL APPROVAL OF ELECTRICAL EQUIPMENT
The fee for this service shall be based on the time spent by an inspector in carrying out the necessary investigations and examinations at the rate of \$40 per half hour or part thereof.
- 3.3 REVIEW OF PLANS AND SPECIFICATIONS
The fee payable for the review of plans and specifications shall be based on the time involved at the rate of \$30 per half hour or part thereof.
- 3.4 EXTRA INSPECTIONS
An inspection fee of \$40 per inspection shall be payable where extra inspections are required as follows:
- (a) for the inspection of deficiencies ordered to be corrected where it is found that the deficiencies have not been corrected or have been corrected in a manner unacceptable to an inspector;
- (b) to facilitate construction procedures;
- (c) as a result of an incorrect address or inadequate directions given on the application form.

**SCHEDULE 4
LICENSE FEES AND ANNUAL PERMITS**

- 4.1 LICENSE FEES per annum
- | | |
|-----------------------------------|--|
| (a) contractor | (up to Jan. 1/05) \$120
(after Jan. 1/05) 200 |
| (b) contractor (Temporary) | 80 |
| (c) contractor (Restricted) | 200 |
| (d) journeyman | 20 |
| (e) registered technician | 15 |
| (f) special license | 15 |
| (g) apprentice | 10 |
- *Note: Fee increases for contractors in January 2005 due to the elimination of the contractor's bond requirement.
- 4.2 ANNUAL PERMITS ISSUED TO EMPLOYERS
- | Number of Employees | Annual Fee |
|---------------------|------------|
| 100 or fewer | \$100 |
| 101 to 250 | 200 |
| 251 to 500 | 315 |
| 501 to 1000 | 500 |
- 4.3 In all manufacturing, mercantile or other buildings where the occupants employ their own electricians and where the nature of their business necessitates the making of sundry changes, additions and repairs to the plant at short notice – e.g., moving lights, motors or other electrical equipment – such changes, etc., may be made by the occupant's own electricians, from time to time, without the formality of taking out a permit for each such change, etc. (as required by Rule 2-004 of the Code), if the occupant has obtained an annual permit from a Senior Electrical Inspector.
- In the case where the occupant has duly licensed journeymen electricians employed, the occupant may have such electricians carry out any type of electrical work on the occupant's premises under the authority of the annual permit. Where the journeyman installs new electrical installations on the premises, a permit shall be required as per Rule 2-004 of the Code.
- The annual permit may be granted at the discretion of a Senior Electrical Inspector upon payment of a fee in accordance with this Schedule.
- At the discretion of the Inspection Department, inspections shall be conducted as required on any electrical work carried out on the premises of the annual permit holder.

3. These regulations come into force on January 1, 2005.

EXPLANATORY NOTES

The amendments revoke the bond requirements for a contractor’s license and change the various fees charged for inspections, licenses and permits.

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**ELEVATORS AND LIFTS ACT
REGULATIONS
AMENDMENT**

Pursuant to section 17 of the *Elevators and Lifts Act* R.S.P.E.I. 1988, Cap. E-5, Council made the following regulations:

1. Section 286 of the *Elevators and Lifts Act* Regulations (EC469/71) is revoked and the following substituted:

286. (1) Fees shall be payable as indicated for the following: Fees

(a) For inspection of an elevator	\$150
(b) For inspection of a dumbwaiter	100
(c) For inspection of an escalator	150
(d) For inspection of a manlift	150
(e) For inspection of an inclined lift other than a ski tow	150
(f) For inspection of a chair or gondola lift	500
(g) For inspection of a T-bar, J-bar or Platter Pull	500
(h) For inspection of a rope-tow	400
(i) For inspection of a stage lift	150
(j) For inspection of a construction hoist	150
(k) For inspection of elevating devices for handicapped persons	150
(l) For an initial inspection, per hour or any part thereof (minimum charge is \$80)	80
(m) For a special inspection, per hour or any part thereof (minimum charge is \$80)	80

(2) Fees are payable on the submission of drawings and specifications *Idem* submitted for approval whether or not the same are approved, as follows:

(a) For an elevator	\$250
(b) For a dumbwaiter	125
(c) For an escalator	200
(d) For a manlift	125
(e) For an inclined lift other than a ski tow	125
(f) For a chair or gondola lift	350
(g) For a T-bar, J-bar, or Platter Pull	250
(h) For a rope-tow	125
(i) For a stage lift	125
(j) For a construction hoist	250
(k) For an elevating device for handicapped persons	125

(3) All fees are payable to the Provincial Treasurer. Provincial
Treasurer

2. These regulations come into force on December 1, 2004.

EXPLANATORY NOTES

The amendments change the fees payable for the inspection of elevators and lifts.

EC2004-638

FINANCIAL ADMINISTRATION ACT
CERTAIN ACCOUNTS RECEIVABLE
UNDER THE
ENVIRONMENT TAX ACT
AUTHORITY TO WRITE-OFF

Pursuant to subsection 26.1(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council authorized the write-off of certain accounts receivable under the *Environment Tax Act* totalling \$279.16 including interest to November 30, 2004 as follows:

SCHEDULE
(ENVIRONMENT TAX ACT, WRITE-OFFS)

ACCOUNT OF	AMOUNT WRITTEN-OFF
Deagle, Leah operating under the style name Leah Deagle's Auto Sales Ellerslie	\$ <u>279.16</u>

EC2004-639

FINANCIAL ADMINISTRATION ACT
CERTAIN ACCOUNTS RECEIVABLE
UNDER THE
REVENUE TAX ACT
AUTHORITY TO WRITE-OFF

Pursuant to subsection 26.1(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council authorized the write-off of certain accounts receivable under the *Revenue Tax Act* totalling \$819,991.73 including interest to November 30, 2004 as follows:

SCHEDULE
(REVENUE TAX ACT, WRITE-OFFS)

ACCOUNT OF	AMOUNT WRITTEN-OFF
100108 PEI Inc. operating under the style name Domino's Pizza Franchise Charlottetown	\$ 99,874.04
Amherst Foods Inc. operating under the style name Dave's Restaurant & Lounge Borden-Carleton	41,971.76
Antle, Joseph Souris	102.57
Auto Sense Service Inc. Summerside	5,622.16
Avondale Golf Inc. operating under the style name Avondale Golf Course Vernon Bridge	43,951.51

Bahri, Nada operating under the style name Confederation Motors Cornwall	16,209.93
Bailey, Craig Murray River	3,407.55
Beaton, Wayne operating under the style name Quick Draw Signs and Graphics Charlottetown	52,484.72
Bernard, Gilbert Summerside	375.91
Bernard, Norman J. Tignish	184.91
Buell, Kendall Hazelbrook	566.88
C & B Holdings Inc. operating under the style name Need's Charlottetown	3,452.36
Canadian Loon Import Export Co. Inc. Souris	8,453.17
Corportec Canada Inc. Summerside	42,825.30
Coughlin, Rodney operating under the style name Rodneys Auto Service Coleman	12,804.27
Cummiskey, John J. Charlottetown	2,436.90
Dave's Cornwall Shell Ltd. operating under the style name Cornwall Shell Cornwall	331.32
Dawson Enterprises (1993) Ltd. Kinkora	98,960.03
Deagle, Leah operating under the style name Leah Deagle's Auto Sales Ellerslie	1,589.11
Everingham, Janis and Hacking, Ken operating under the style name Panmure Island Cottages Souris	10,415.58
Gallant, Duane operating under the style name D & J Custom Computer Summerside	461.30

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Gallant, Richard J. Summerside	120.83
Grant, Debbie operating under the style name Waterview Café & Bakery Charlottetown	159.02
Hamlin Alliance Limited Summerside	18,249.74
Hume, Betty operating under the style name Boo's Restaurant & Lounge Montague	7,573.06
Island Irrigation Ltd. Vernon Bridge	2,593.77
Island Plastics Inc. Stratford	6,765.00
Johnson, Hugh and Susan Petawawa, Ontario	3,376.70
Keith, Gregory Montague	473.92
Larter, Jason Charlottetown	350.20
Leblanc, Raynald and Eileen Stratford	15,067.56
MacDonald, John T. operating under the style name The Brite Spot Charlottetown	10,973.64
MacDougall, Patricia Charlottetown	582.67
MacIaac, Joseph York	260.57
MacInnis Bros. Ltd. Charlottetown	3,871.84
MacKinnon, Blaine Edwin operating under the style name Mexico Lindo Charlottetown	8,585.48
Manhattan's Restaurant Inc. Charlottetown	26,247.00
Maritime Advantage Graphics Inc. Summerside	41,900.26
Mergitech Inc.	46,952.69

Summerside	
MTN Enterprises Ltd. operating under the style name Bonnie Brae Restaurant Cornwall	16,636.97
Nicholson, Stanley Belfast	141.91
O'Connell, William Charlottetown	433.29
O'Halloran, Cory Summerside	232.02
Owen, Justin Summerside	256.11
Perry, Victor Slemon Park	142.92
Reynolds, John operating under the style name Reynolds Upholstery Murray Harbour	8,560.08
Roberts, Kimberley Anne operating under the style name Ship to Shore Crafts Morell	1,450.64
Rolfe, Ritchie operating under the style name Georges Eat In & Takeout Diner Charlottetown	5,765.25
Ronaghan, Pamela Montague	794.33
Schurman, John operating under the style name Big Rigs Auto Body Summerside	2,441.80
Shea, Hubert operating under the style name Hubie's Pub and Restaurant Pownal	15,400.43
Snook, Leonard Montague	214.39
Stokes Inc. Montreal, Quebec	11,197.59
Systech Retail Systems Inc. Mississauga, Ontario	395.40

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Trainor, Francis operating under the style name The Village Restaurant and Pub Morell	44,020.94
Truck Leasing of P.E.I. Ltd. Charlottetown	60,136.26
Wilkie, Grant operating under the style name County Appliance Repair Montrose	<u>11,186.17</u>
Total	<u>\$819,991.73</u>

EC2004-640

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2004/05)
EXECUTIVE COUNCIL

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund for Executive Council as follows:

Account Class	Account Name	Amount
ACADIAN AND FRANCOPHONE AFFAIRS		
	Administration	
0232-02606	Meeting and Hosted Conference Expenses	\$ 17,000.00
	Professional and Contract Services	
0232-03001	Consultants	100,000.00
	Grants	
0232-04199	Miscellaneous	<u>75,000.00</u>
		<u>\$192,000.00</u>

Further, Council noted that this amount will be fully offset by revenue from the federal government under the terms of the Canada/P.E.I. General Agreement on the Promotion of Official Languages.

EC2004-641

HEALTH AND COMMUNITY SERVICES ACT
KINGS HEALTH REGION BOARD
APPOINTMENT

Pursuant to section 7 of the Health and Community Services Act Regulations (EC598/99), Council made the following appointment:

NAME	TERM OF APPOINTMENT
Randy Dingwell	9 November 2004
Midgell	to
(vice Henry Compton, resigned)	31 December 2004

EC2004-642

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 TIM BELL AND RHONDA BELL
 (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 Tim Bell and Rhonda Bell, both of North Augusta, Ontario to acquire a land holding of approximately one hundred and twenty-three (123) acres of land in Lot 55, Kings County, Province of Prince Edward Island, being acquired from Michael Gaulton of Charlottetown, 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.

EC2004-643

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 GREGORY A. HANLEY
 (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 Gregory A. Hanley of Stamford, Connecticut to acquire a land holding of approximately thirty-five decimal two seven (35.27) acres of land in Lot 42, Kings County, Province of Prince Edward Island, being acquired from John F. Earl of Fredericton, New Brunswick 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.

EC2004-644

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 JACOB (JAAP) HIEMSTRA
 (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 Jacob (Jaap) Hiemstra of St. Annaparochie, Holland to acquire an interest in a land holding of approximately two decimal six five (2.65) acres of land in Lot 48, Queens County, Province of Prince Edward Island, being acquired from Jacob (Jaap) Hiemstra of St. Annaparochie, Holland.

EC2004-645

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ROY E. JOSEPHSON
 (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 Roy E. Josephson of Winchester, Massachusetts to acquire a land holding of approximately two decimal three five (2.35) acres of land in Lot 23, Queens County, Province of Prince Edward Island, being acquired from Glasgow-on-Clyde Estates Inc. of New Glasgow, Prince Edward Island.

EC2004-646

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 KARL KENNY, CHESLEY PENNEY, IRIS PETTEN
 AND MARTIN SULLIVAN
 (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 Karl Kenny of Conception Bay S., Newfoundland and Labrador and Chesley Penney, Iris Petten and Martin Sullivan, all of St. John's, Newfoundland and Labrador to acquire an interest in a land holding of approximately six (6) acres of land in Lot 63, Kings County, Province of Prince Edward Island, being acquired from Atlantic Mussel Growers Corp. Ltd. of Murray River, Prince Edward Island.

EC2004-647

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ROGER FRED ROACH
 (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 Roger Fred Roach of Chester, New Hampshire to acquire a land holding of approximately one decimal two nine (1.29) acres of land at Malpeque, Prince County, Province of Prince Edward Island, being acquired from Gerald W. Bryanton and Deborah Elaine Bryanton, both of Kensington, Prince Edward Island PROVIDED THAT the said real property is consolidated with the adjacent Provincial Property No. 84673 and the resulting property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2004-648

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ROGER FRED ROACH
 (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 Roger Fred Roach of Chester, New Hampshire to acquire a land holding of approximately three decimal one (3.1) acres of land at Malpeque, Prince County, Province of Prince Edward Island, being acquired from Ewen Clark of Hamilton, Prince Edward Island.

EC2004-649

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 DAVID F. RUNNELS
 (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 David F. Runnels of Montreal, Quebec to acquire a land holding of approximately three hundred (300) acres of land in Lot 67 , Queens County, Province of Prince Edward Island, being acquired from Brian Graham of Charlottetown, 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.

EC2004-650

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ANTONIUS JOHANNES MARIA WAGEMAKERS AND
 CORNELIA DIRKJE SCHOORL WAGEMAKERS
 (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 Antonius Johannes Maria Wagemakers and Cornelia Dirkje Schoorl Wagemakers, both of Bonaire, Dutch Antilles to acquire a land holding of approximately ten decimal eight three (10.83) acres of land in Lot 29, Queens County, Province of Prince Edward Island, being acquired from Allyson Hughes Handley of Midway, Kentucky; Catherine Dolan and Brian M. Hughes, both of Toronto, Ontario; Sheilah M. Rogers and Stephen N. Baird, both of Redwood Valley, California; and Leslie R. Hasskarl and Paul L. Hasskarl, both of Skokie, Illinois.

EC2004-651

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 CANADIAN MUSSELS 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 Canadian Mussels Ltd. of Montague, Prince Edward Island to acquire a land holding of approximately six (6) acres of land in Lot 63, Kings County, Province of Prince Edward Island, being acquired from Atlantic Mussel Growers Corp. Ltd. of Murray River, Prince Edward Island SUBJECT TO (i) the condition that the said real property not be subdivided; and (ii) the Government of Prince Edward Island, as represented by the Minister of Transportation and Public Works, being granted the right of first refusal to purchase the land holding should Canadian Mussels Ltd. desire to dispose of the said lands. The condition preventing subdivision and the right of first refusal to purchase by the Government of Prince Edward Island shall be binding on the said Canadian Mussels Ltd. and on all successors in title.

EC2004-652

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 CAVENDISH MAPLES 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 Cavendish Maples Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately zero decimal three (0.3) acres of land in Lot 23, Queens County, Province of Prince Edward Island, being acquired from Gordon MacInnis and Winnifred MacInnis, both of Charlottetown, Prince Edward Island.

EC2004-653

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 APPLICATION TO LEASE LAND
 COMPTON BROS. INC.
 (TO RESCIND)

Council, having under consideration Order-in-Council EC2002-85 of 19 February 2002, rescinded the said Order forthwith, thus rescinding permission for Compton Bros. Inc. to acquire, by lease, an interest in up to one thousand (1,000) acres of land.

EC2004-654

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 APPLICATION TO LEASE LAND
 COMPTON BROS INC.
 (APPROVAL)

Pursuant to section 5 and clause 5.3(1)(b) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Compton Bros. Inc. of Morell, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to eight hundred (800) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Compton Bros. Inc. files a statement with the Island Regulatory and Appeals Commission within one year of the date of this Order and prior to 31 December in every subsequent year disclosing the parcel number, the acreage and the term of lease for each parcel leased during the reporting period covered by the statement.

EC2004-655

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 COMPTON BROS. 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 Compton Bros. Inc. of Bangor, Prince Edward Island to acquire a land holding of approximately ninety-nine decimal three (99.3) acres of land in Lot 40, Kings County, Province of Prince Edward Island, being acquired from George Compton of Charlottetown, 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.

EC2004-656

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 SPRING VALLEY FARMS 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 Spring Valley Farms Ltd. of Spring Valley, Prince Edward Island to acquire a land holding of approximately zero decimal two eight (0.28) acres of land in Lot 18, Prince County, Province of Prince Edward Island, being acquired from Doris R. Devereau of Walpole Massachusetts.

EC2004-657

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
COMMUNITY OF MURRAY HARBOUR
(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 Community of Murray Harbour, Prince Edward Island to acquire a land holding of approximately three (3) acres of land in Lot 64, Kings County, Province of Prince Edward Island, being acquired from the Government of Prince Edward Island of Charlottetown, Prince Edward Island.

Further, Council noted that upon conveyance, the said land holding, being Provincial Property No. 254318, will be identified for non-development use in accordance with section 21 of the said Act.

EC2004-658

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SOUTH LAKE FARMS 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 South Lake Farms Ltd. of Souris, Prince Edward Island to acquire a land holding of approximately six decimal six (6.6) acres of land in Lot 47, Kings County, Province of Prince Edward Island, being acquired from Farm Credit Canada of Kanata, Ontario.

EC2004-659

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SOUTHPORT MOTEL AND COTTAGES 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 Southport Motel and Cottages Ltd. of Stratford, Prince Edward Island to acquire a land holding of approximately two decimal six five (2.65) acres of land in Lot 48, Queens County, Province of Prince Edward Island, being acquired from Jacob (Jaap) Hiemstra of St. Annaparochie, Holland.

EC2004-660

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 228197, LOT 31, 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 twenty-six decimal seven three (26.73) acres of land, being Provincial Property No. 228197 located in Lot 31, Queens County, Prince Edward Island and currently owned by Clyde River Golf Club Inc. of Clyde River, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately two (2) acres, SUBJECT TO the proposed subdivision meeting all requirements of the *Planning Act* and Regulations. Further, Council determined that following subdivision, identification for non-development use shall continue to apply to the remaining land.

This Order-in-Council comes into force on November 9, 2004.

EC2004-661

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 833327, LOT 64, KINGS 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 ten decimal one five (10.15) acres of land, being Provincial Property No. 833327 located in Lot 64, Kings County, Prince Edward Island and currently owned by Alexander Kerr and Terrilyn A. Kerr, both of Murray Harbour, Prince Edward Island.

Council noted that this amendment will enable subdivision of three lots, each approximately two (2) acres in size and with shore frontage of at least one hundred and sixty-five (165) feet. Further, Council determined that following subdivision, identification for non-development use shall continue to apply to the three new parcels as well as to the remaining land.

This Order-in-Council comes into force on November 9, 2004.

EC2004-662**POWER ENGINEERS ACT
REGULATIONS
AMENDMENT**

Pursuant to section 18 of the *Power Engineers Act* R.S.P.E.I. 1988, Cap. P-15, Council made the following regulations:

1. The Schedule of the *Power Engineers Act* Regulations (EC22/80) is revoked and the Schedule as set out in the Schedule to these regulations is substituted.

2. These regulations come into force on December 1, 2004.

SCHEDULE**SCHEDULE****TABLE OF FEES**

1. On application for examination for a power engineer's license:	
First Class	\$160
Second Class.....	120
Third Class.....	80
Fourth Class.....	40
Refrigeration A.....	80
Refrigeration B	40
2. On application for transfer of a license, for each 12-month period issued in another province:	\$20
3. On application for renewal of a license, for each 12-month period:.....	\$20
4. On application for registration of a plant:	
First Class	\$160
Second Class.....	120
Third Class.....	80
Fourth Class.....	40
Refrigeration A.....	80
Refrigeration B	40
5. On application for re-registration of a plant:	\$20

EXPLANATORY NOTES

The amendments change the fees payable in respect of a power engineer's license and an application for the registration of a plant.

EC2004-663**WILDLIFE CONSERVATION ACT
FUR HARVESTING REGULATIONS**

Pursuant to section 28 of the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1, Council made the following regulations:

- 1. (1) In these regulations**
- | | |
|---|--------------------|
| | Definitions |
| (a) "Act" means the <i>Wildlife Conservation Act</i> R.S.P.E.I. 1988, Cap. W-4.1; | Act |
| (b) "body-gripping trap" means any device designed to catch and hold an animal by the body rather than by the foot, but does not include a snare; | body-gripping trap |

- (c) “box trap” means any box-shaped trap designed to capture an animal alive by constraining the animal only by means of the walls of the trap, which may be made in any shape or size and of any material such as wood, metal, wire, netting or other material; box trap
- (d) “certificate” means a trapper education certificate issued under subsection 3(4); certificate
- (e) “Department” means the Department of Environment, Energy and Forestry; Department
- (f) “former Act” means the *Fish and Game Protection Act* R.S.P.E.I. 1988, Cap. F-12; former Act
- (g) “green hide” means a raw or untanned hide or pelt of a fur-bearing animal; green hide
- (h) “running pole set” means a pole that is secured to a tree at an incline and that has a trap attached to it; running pole set
- (i) “spring pole set” means a device intended to raise into the air an animal caught in a live-holding device; spring pole set
- (j) “submarine trap” means a trap made of any material of box-like construction designed to be set underwater and capable of taking more than one fur-bearing animal at a time. submarine trap
- (2) Animals listed in Schedule A are designated as fur-bearing animals for the purposes of the Act and these regulations. Fur-bearing animals

TRAPPING LICENSES

2. (1) The Minister may issue a trapping license to an applicant who Trapping license
- (a) either
- (i) was the holder of a trapping license under the former Act and who was issued a registration number prior to 1987, or
- (ii) is at least 16 years of age and has successfully completed a trapper education program approved by the Minister;
- (b) pays the prescribed fee set out in Schedule B; and
- (c) is not precluded from making an application under subsection (3).
- (2) The Minister may issue a junior trapping license to an applicant who Junior trapping license
- (a) is under 16 years of age;
- (b) has successfully completed a trapper education program approved by the Minister; and
- (c) pays the prescribed fee set out in Schedule B.
- (3) A person whose license was suspended under subsection 31(2) of the Act may not make an application for a trapping license unless If license suspended
- (a) the suspension has expired; and
- (b) the applicant holds a trapper education certificate issued after the applicant’s license was suspended.
- (4) The Department shall, in respect of each person who is issued a trapping license, Trapper registration number
- (a) assign to the person a permanent trapper registration number, which shall be a letter and number combination or a combination of letters that is unique to each such person; and
- (b) issue to the person metal dies containing the person’s permanent trapper registration number for stamping traps or snares in accordance with subsection (5).
- (5) No person shall set a trap or a snare for a fur-bearing animal unless the trap or snare is clearly stamped with the person’s permanent trapper registration number using the metal dies issued to the person by the Department under subsection (4). Tagged traps or snares

(6) A trapping license issued under these regulations authorizes the holder, during the term of the license, to trap fur-bearing animals listed in Schedule A, subject to the Act and these regulations. Exception

(7) For greater certainty, a snowshoe hare is not a fur-bearing animal for the purposes of the Act and these regulations. Idem

(8) A trapping license issued under these regulations expires on March 31st following the date of issue. Term

TRAPPER EDUCATION PROGRAM

3. (1) A trapper education program, approved by the Minister, shall be offered by or on behalf of the Department at least once annually for the purpose of training people in internationally accepted standards for trapping fur-bearing animals. Trapper education program

(2) A fee, approved by the Minister, may be charged for the program. Fee

(3) An application for the program shall be made on the form approved by the Minister. Application form

(4) A trapper education certificate shall be issued by the Minister to persons who have successfully completed the program. Trapper education certificate

(5) No person under the age of 12 years may take the program, unless permitted by the Minister to do so. Under age 12

SNARES

4. (1) No person shall place in wildlife habitat any snare constructed of wire having a gauge larger than single strand brass wire of 20 gauge except during the open season for snaring red fox or coyote. Wire gauge

(2) All snares constructed of wire having a gauge larger than single strand brass wire of 20 gauge shall be equipped with a self-locking device. Larger than 20 gauge

(3) Subsections (1) and (2) do not apply to snares set under water during the open season for beaver. Exception

(4) No person, while in wildlife habitat, shall be in possession of snares that are not clearly marked with the person's permanent trapper registration number. Unmarked snares

(5) No person shall set a snare for coyote or red fox within 50 metres of a bait unless Bait

(a) the bait is camouflaged or concealed in a manner that renders the bait undetectable from the air; or

(b) the bait is placed in an open field.

BODY-GRIPPING TRAPS

5. (1) For the purposes of this section, "dog-proof enclosure" means a special trap-holding device that is designed to keep a dog away from a trap by creating a barrier to the trap allowing entry only to fur-bearing animals through certain openings. "dog-proof enclosure", defined

(2) No person shall set a body-gripping trap having a jaw spread greater than 16 cm (6.3 inches) except Body-gripping trap

(a) in or over water;

(b) in a dog-proof enclosure that meets the requirements of subsections (3) to (5); or

(c) where the trap is set at least 1.5 m (5 feet) off the ground.

(3) A dog-proof enclosure used for a body-gripping trap shall be placed so that no part of the opening of the enclosure is more than 12.7 cm (5 inches) off the ground. Standards for dog-proof enclosure

(4) A dog-proof enclosure used for a baited or scented set using a body-gripping trap not greater than 17.78 cm by 17.78 cm (7 inches by 7 inches) shall not have *Idem*

(a) any opening greater than 322.6 cm² (50 inches²) in area unless the trap trigger is set back at least 17.78 cm (7 inches) from any opening; or

(b) any opening greater than 20.32 cm (8 inches) in height and greater than 25.4 cm (10 inches) in width unless the trap trigger is set back at least 25.4 cm (10 inches) from any opening.

(5) A dog-proof enclosure used for an unbaited or unscented set using a body-gripping trap not greater than 17.78 cm by 17.78 cm (7 inches by 7 inches) shall not have any opening greater than 25.4 cm by 25.4 cm (10 inches by 10 inches) unless the trap trigger is set back at least 38.1 cm (15 inches) from any opening. *Idem*

FOOT-HOLD TRAPS

6. (1) No person shall set a foot-hold trap *Foot-hold traps*

(a) for beaver, mink or muskrat unless the trap is attached to a device that is designed to submerge the animal under water and prevent the animal from resurfacing;

(b) for mink or muskrat unless the trap is sufficiently heavy to submerge the animal under water and prevent the animal from resurfacing;

(c) for weasel or red squirrel unless the trap is set in such a manner as to kill the animal immediately upon the springing of the trap;

(d) for raccoon unless the trap has jaws which are padded with a rubber compound specifically designed to minimize injury to the animal; or

(e) for coyote or red fox unless the trap has

(i) laminated jaws,

(ii) off-set jaws,

(iii) padded jaws, or

(iv) other similarly effective means of improving the humaneness of the trap.

(2) No person shall set a foot-hold trap for a fur-bearing animal not referred to in subsection (1). *Offence*

(3) No person shall set

(a) a running pole set; or

(b) a spring pole set,

in combination with a foot-hold trap. *No pole set with foot-hold trap*

GENERAL RESTRICTIONS AND DUTIES

7. No person shall set a toothed trap, a deadfall or a hook. *Other traps*

8. (1) No person shall, with respect to a particular species of fur-bearing animal, *Out of season traps*

(a) place a trap in wildlife habitat, either set or unset, before the first day of the open season for that species; or

(b) leave a trap in wildlife habitat, either set or unset, after the close of the trapping season for that species.

(2) No person shall, while in wildlife habitat, possess or set a trapping device during open season for fur-bearing animals, unless the trapping device is *Permitted trapping devices*

(a) a box trap;

(b) a body-gripping trap that is designed to kill quickly;

(c) a submarine trap;

(d) a non-powered snare; or

(e) a steel-jawed trap that has a jaw spread of less than 19 cm (7.5 inches).

(3) Subsection (2) does not apply to a person who possesses or sets a trap not listed in subsection (1) under the authority of a license or permit from the Minister. *Exception*

- 9.** (1) No person shall Prohibited activities
- (a) cut, spear, break, destroy or otherwise interfere with the den or burrow of a red fox or coyote;
 - (b) cut, spear, break, destroy or interfere with any beaver house or dam, a mink den, a muskrat house or den, or set a trap within 3 metres (10 feet) of the house or den of a beaver;
 - (c) except during the open season for mink or muskrat, set a trap for, or attempt to trap, raccoon in places frequented by mink or muskrat, or attempt to trap raccoon by the use of traps set in or over water;
 - (d) take or attempt to take any beaver, mink or muskrat by any means other than trapping;
 - (e) set a trap designed to hold an animal alive without examining each trap at least once a day;
 - (f) set a trap designed to kill an animal without examining each trap at least once every 48 hours;
 - (g) break, interfere with, destroy, remove or otherwise disturb any trap not registered to that person;
 - (h) set a snare within 200 m (656 feet) of an occupied dwelling without the permission of the homeowner or occupier;
 - (i) set a baited snare within 300 m (984 feet) of an occupied dwelling without the permission of the homeowner or occupier; or
 - (j) set a snare for red fox or coyote unless the snare is constructed of wire having a minimum size of 1.98 mm (5/64 inches).
- (2) Subsection (1) does not apply to any person responsible for the enforcement of this Act while in the discharge of the person's duty. Exception

POSSESSION, SALE AND EXPORT OF FURS

- 10.** (1) No person shall, without a permit issued by the Minister under section 10 of the Act, be in possession of the green hide, carcass or any portion of a fur-bearing animal during the period between 10 days after the close of a season and the first day of the next open season for that fur-bearing animal. Green hides, etc.
- (2) Every person in possession of a green hide, carcass or any portion of a fur-bearing animal shall, when required by a conservation officer, Information, etc. to conservation officer
- (a) provide information on the trapping of the fur-bearing animal; and
 - (b) turn over to the conservation officer or other employee of the Department the green hide, carcass or any portion of the fur-bearing animal.
- (3) No person shall buy, acquire or deal in the pelts or hides of any fur-bearing animal, skinned or unskinned, unless the person holds a valid fur dealer's license issued under these regulations. Sale only to dealer
- 11.** (1) The Minister may, on application, issue a fur dealer's license to an applicant if the applicant files the following information with the Minister: Fur dealer's license
- (a) the name and address of the applicant and, if applicable, the partners and the head office or chief place of business in the province;
 - (b) the names and addresses of all agents in the province employed in buying or selling furs;
 - (c) the location of the warehouses, shops or other buildings in which skins or furs will be stored;
 - (d) the location from which skins or furs will be shipped out of the province by the applicant.
- (2) Where a change occurs in the information provided under subsection (1), the holder of the fur dealer's license shall immediately file with the Minister the necessary changes to the information previously filed. Changes in information
- (3) The Minister may, at any time, cancel or suspend a fur dealer's license where the Minister has reason to believe that Cancel, suspend license
- (a) the information provided by the fur dealer is inaccurate or outdated; or

(b) the holder of the fur dealer's license has contravened the Act or these regulations.

(4) A fur dealer's license authorizes its holder to buy, sell, barter, or offer for sale or barter the skins and furs of any fur-bearing animal, and generally to carry on the business of a fur dealer in the province. Fur dealer's license

12. (1) No person shall carry on the business of a fur dealer, or buy, sell, barter or offer for sale any fur-bearing animal, or the skin, fur, green hide or part of any fur-bearing animal, without a fur dealer's license issued under these regulations. Sale of furs, etc.

(2) Notwithstanding subsection (1), a person holding a valid trapping license may sell the skin, fur, green hide or part of any fur-bearing animal to a licensed fur dealer. Sale to fur dealer

13. (1) Every licensed fur dealer shall Records

(a) keep a record of

(i) all skins, furs, green hides and parts of any fur-bearing animal bought or acquired,

(ii) the names and addresses of the persons from whom they were bought or acquired, and

(iii) the date of purchase or acquisition; and

(b) make records kept under this section available for inspection by a conservation officer or other employee of the Department at all reasonable times.

(2) Subject to subsection (3), every licensed fur dealer shall, on or before the tenth day of each month during any open season and within 30 days following the closing of any season, make a report to the Director of Wildlife, stating Reports

(a) the number and species of furs bought by the licensed fur dealer during the preceding month;

(b) the names and addresses of the persons from whom they were bought and to whom sold; and

(c) the number and species of skins or furs taken by hunting or otherwise captured by such holder during the preceding month.

(3) Where a licensed dealer has not bought or otherwise acquired skins or furs during the preceding month, the licensed dealer shall make a report to the Director of Wildlife stating that no skins or furs have been bought or acquired. Idem

(4) No licensed fur dealer shall make a false statement in a report, or refuse to produce records for inspection by a conservation officer or other employee of the Department. Idem

14. Every person who contravenes any provision of these regulations is guilty of an offence and is liable, on summary conviction, to a fine not less than \$200 and not more than \$10,000. Offence and penalty

15. (1) The *Fish and Game Protection Act* General Regulations (EC818/66) are amended

(a) in section 9, by the revocation of Division 4; and

(b) by the revocation of

- (i) the heading preceding subsection 38(1),
- (ii) subsections 38(1), 39(1) and sections 40 to 46,
- (iii) sections 48 to 50, and
- (iv) sections 52 to 56.

(2) The *Wildlife Conservation Act* Regulations (EC676/98) are amended by the revocation of sections 3 and 5.

16. These regulations come into force on November 20, 2004.

Commencement

SCHEDULE

SCHEDULE A

FUR-BEARING ANIMALS

beaver
 bobcat
 coyote
 eastern chipmunk
 fisher
 lynx
 marten
 mink
 muskrat
 northern flying squirrel
 river otter
 raccoon
 red fox
 red squirrel
 striped skunk
 weasel (ermine)
 wolverine

SCHEDULE B

FEES

(All fees include G.S.T.)

1. Trapping License	\$10
2. Junior Trapping License	\$5

EXPLANATORY NOTES

SECTION 1 defines terms used in these regulations.

SECTION 2 provides for trapping licenses, permanent trapper registration numbers and tagging of traps and snares for fur-bearing animals.

SECTION 3 provides for a trapper education program.

SECTIONS 4 to 6 deal with snares, body-gripping traps and foot-hold traps.

SECTION 7 deals with restrictions on certain trapping devices.

SECTION 8 prohibits placing or leaving traps before and after open seasons and lists the permitted trapping devices.

SECTION 9 details the restrictions and duties respecting trapping.

SECTION 10 deals with the possession of the green hide, carcass or any portion of a fur-bearing animal to which these regulations apply.

SECTIONS 11 to 14 deal with possession, sale and export of furs.

SECTION 15 revokes provisions dealing with fur-bearing animals in the *Fish and Game Protection Act* General Regulations and in the *Wildlife Conservation Act* Regulations.

EXECUTIVE COUNCIL _____ 9 NOVEMBER 2004

SECTION 16 provides for the commencement of these regulations.

SCHEDULE A designates fur-bearing animals for the purposes of the Act and these regulations.

SCHEDULE B adds the fees.

EC2004-664

HOLLAND COLLEGE ACT
BOARD OF GOVERNORS OF HOLLAND COLLEGE
APPOINTMENT

Pursuant to clause 6(1)(c) and subsection 9(2) of the *Holland College Act* R.S.P.E.I. 1988, Cap. H-6 Council made the following appointment:

NAME	TERM OF APPOINTMENT
Jeffrey H. Leard Summerside (vice Jim Ferguson, resigned)	9 November 2004 to 8 April 2006

Number: SW04/05 - 3

SPECIAL

WARRANT

pursuant to the

FINANCIAL ADMINISTRATION ACT

Lieutenant Governor

On recommendation of the Lieutenant Governor in Council by its Order-in-Council EC2004-640, and pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 the following supplementary payment is authorized out of the Operating Fund for the Fiscal Year 2004/05:

Executive Council.....\$192,000.00
(Acadian and Francophone Affairs)

Clerk of the Executive Council