

EC2010-249**EMPLOYMENT STANDARDS ACT
MINIMUM WAGE ORDER
AMENDMENT**

Pursuant to section 5 of the *Employment Standards Act* R.S.P.E.I. 1988, Cap. E-6.2, Council approved the following Minimum Wage Order made by the Employment Standards Board:

1. Section 1 of the *Employment Standards Act* Minimum Wage Order (EC139/96) is revoked and the following substituted:

1. The minimum rate of wages for all employees shall be: Minimum rate
\$8.70 per hour effective 1 June 2010.

2. Section 1 of the Order is revoked and the following substituted:

1. The minimum rate of wages for all employees shall be: Minimum rate
\$9.00 per hour effective 1 October 2010.

3. (1) Subject to subsection (2), this Order comes into force on June 1, 2010.

(2) Section 2 of this Order comes into force on October 1, 2010.

EXPLANATORY NOTES

This adjustment in the minimum wage rate is based on an annual review by the Employment Standards Board, undertaken in accordance with subsection 5(2) of the Act.

EC2010-250**FATHERS OF CONFEDERATION BUILDINGS ACT
FATHERS OF CONFEDERATION BUILDINGS TRUST
AUTHORITY TO BORROW**

Pursuant to section 9(5) of the *Fathers of Confederation Buildings Act*, R.S.P.E.I. 1988, Cap. F-6, Council authorized the Fathers of Confederation Buildings Trust to borrow up to one million dollars (\$1,000,000.00) to finance construction of an access tunnel across Grafton Street.

EC2010-251**FINANCIAL ADMINISTRATION ACT
FATHERS OF CONFEDERATION BUILDINGS TRUST
GUARANTEE OF LOAN**

Having under consideration the recommendation of Treasury Board (reference Minute TB#18/10 of 21 April 2010), pursuant to subsection 32(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council agreed to guarantee payment of a demand loan by the Fathers of Confederation Buildings Trust (hereinafter referred to as "the borrower") in an amount not exceeding one million dollars (\$1,000,000.00) (hereinafter referred to as the "guaranteed indebtedness") together with interest thereon at prime less one quarter of one percent to the Toronto-Dominion Bank of Charlottetown, Prince Edward Island (hereinafter referred to as "the lender"), from the 27th day of April 2010 through to and including 1700 hours on the 30th day of September 2010, the said guarantee to be subject to and conditional upon the following terms and conditions:

1. The guaranteed indebtedness, including interest, shall be due and payable in full by the borrower no later than the 30th day of September 2010.
2. Any advances made by the lender after the 30th day of September 2010 shall not form part of the guaranteed indebtedness.
3. The guarantee shall absolutely expire and be null and void without notice to the lender at 1700 hours on the 30th day of September 2010 regardless of any advances that may have been made by the lender to the borrower unless on or before the 30th day of September 2010, notice has been given to the Government of Prince Edward Island, as represented by the Minister of Finance and Municipal Affairs that the borrower has defaulted in repayment of the guaranteed indebtedness to the lender, and calling upon the Minister of Finance and Municipal Affairs to pay the lender pursuant to the guarantee. The written notice shall include a copy of the written demand given by the lender to the borrower calling upon the borrower to pay the balance in full.
4. Government shall be entitled at any time to terminate the guarantee by paying to the lender such amount of the guaranteed indebtedness as may be owing by the borrower to the lender and the lender shall assign to the government all security the lender holds in connection with the guaranteed indebtedness.
5. The Minister of Finance and Municipal Affairs may add such further terms and conditions to the guarantee as he considers appropriate.
6. The guarantee shall not become effective until the lender has agreed in writing to the terms and conditions herein contained and those imposed by the Minister of Finance and Municipal Affairs pursuant to paragraph 5 above. The guaranteed indebtedness shall not include any advances made by the lender prior to the agreement by the lender with the terms and conditions herein contained and those imposed by the Minister of Finance and Municipal Affairs.

EC2010-252**FINANCIAL ADMINISTRATION ACT
FATHERS OF CONFEDERATION BUILDINGS TRUST
GUARANTEE OF LOAN**

Having under consideration the recommendation of Treasury Board (reference Minute TB#18/10 of 21 April 2010), pursuant to subsection 32(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council agreed to guarantee payment of a ten-year term loan by the Fathers of Confederation Buildings Trust (hereinafter referred to as "the borrower") in an amount not exceeding one million dollars (\$1,000,000.00) (hereinafter referred to as the "guaranteed indebtedness") together with interest thereon at the Toronto-Dominion Bank's preferred long term lending rate, estimated at four decimal five three percent (4.53%), to the Toronto-Dominion Bank of Charlottetown, Prince Edward Island (hereinafter referred to as "the lender"), from the 1st day of August 2010 through to and including 1700 hours on the 30th day of September 2020, the said guarantee to be subject to and conditional upon the following terms and conditions:

1. The guaranteed indebtedness, including interest, shall be due and payable in full by the borrower no later than the 30th day of September 2020.
2. Any advances made by the lender after the 30th day of September 2020 shall not form part of the guaranteed indebtedness.
3. The guarantee shall absolutely expire and be null and void without notice to the lender at 1700 hours on the 30th day of September 2020 regardless of any advances that may have been made by the lender to the borrower unless on or before the 30th day of September 2020, notice has been given to the Government of Prince Edward Island, as represented by the Minister of Finance and Municipal Affairs that the borrower has defaulted in repayment of the guaranteed indebtedness to the lender, and calling upon the Minister of Finance and Municipal Affairs to pay the lender pursuant to the guarantee. The written notice shall include a copy of the written demand given by the lender to the borrower calling upon the borrower to pay the balance in full.
4. Government shall be entitled at any time to terminate the guarantee by paying to the lender such amount of the guaranteed indebtedness as may be owing by the borrower to the lender and the lender shall assign to the government all security the lender holds in connection with the guaranteed indebtedness.
5. The Minister of Finance and Municipal Affairs may add such further terms and conditions to the guarantee as he considers appropriate.
6. The guarantee shall not become effective until the lender has agreed in writing to the terms and conditions herein contained and those imposed by the Minister of Finance and Municipal Affairs pursuant to paragraph 5 above. The guaranteed indebtedness shall not include any advances made by the lender prior to the agreement by the lender with the terms and conditions herein contained and those imposed by the Minister of Finance and Municipal Affairs.

EC2010-253

GRAIN ELEVATORS CORPORATION ACT
PRINCE EDWARD ISLAND GRAIN ELEVATORS CORPORATION
APPOINTMENTS

Pursuant to section 2(2) of the *Grain Elevators Corporation Act* R.S.P.E.I. 1988, Cap. G-6, Council made the following appointments:

NAME	TERM OF APPOINTMENT
Tracey MacEwen Kensington (vice Harris Callaghan, term expired)	26 April 2010 to 26 April 2013
Dave Thompson Charlottetown (vice Emmerson McMillan, term expired)	26 April 2010 to 26 April 2013

Further, in accordance with subsection 2(3) of the said Act, Council designated Dave Thompson to be President and Tracey MacEwen to be secretary-treasurer for the duration of their terms as members.

EC2010-254

LABOUR ACT
LABOUR RELATIONS BOARD
APPOINTMENT

Pursuant to subsections 3(2) and 3(2.1) of the *Labour Act* R.S.P.E.I. 1988, Cap. L-1 Council made the following appointment:

NAME	TERM OF APPOINTMENT
as vice-chairperson	
Matthew MacFarlane Summerside	4 February 2010 to 4 February 2013

EC2010-255

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 590992, LOTS 6 AND 9, PRINCE 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 fifty decimal seven (50.7) acres of land, being Provincial Property No. 590992 located in Lots 6 and 9, Prince County, Prince Edward Island and currently owned by 100395 P.E.I. Inc. of Coleman, Prince Edward Island.

Council noted that this amendment will permit lease of approximately zero decimal one six (0.16) acres to the landowner of the adjacent Provincial Property No. 1009802 and is subject to 100395 P.E.I. Inc. obtaining necessary permits and approvals required by the Department of Environment, Energy and Forestry. Further, Council determined that identification for non-development use shall continue to apply to the remaining land.

This Order-in-Council comes into force on 27 April 2010.

EC2010-256

LUCY MAUD MONTGOMERY ACT LUCY MAUD MONTGOMERY FOUNDATION BOARD OF DIRECTORS APPOINTMENTS

Pursuant to section 3 of the *Lucy Maud Montgomery Foundation Act* R.S.P.E.I. 1988, Cap. L-18, Council made the following appointments:

NAME	TERM OF APPOINTMENT
Dr. Francis W.P. Bolger Stanley Bridge (reappointed)	30 June 2010 to 30 June 2015
George Campbell Park Corner (reappointed)	20 June 2010 to 20 June 2015
Roma Campbell Springbrook (reappointed)	30 June 2010 to 30 June 2015

EC2010-257

SUMMARY PROCEEDINGS ACT TICKET REGULATIONS AMENDMENT

Pursuant to subsection 10(3) of the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9, Council made the following regulations:

1. Schedule 2 of the *Summary Proceedings Act* Ticket Regulations (EC58/08) is amended by the addition of the following immediately after PART 38:

PART 38.1

NATURAL AREAS PROTECTION ACT Regulations (EC54/89)

Item Number	Column I Offence	Column II Section	Column III Penalty for out of court settlement
1	Cutting, destroying or removing vegetation within a natural area.....	3(1)(a)	\$200
2	Introducing non-native plant or animal species within a natural area.....	3(1)(b)	200
3	Operating snowmobiles, all-terrain vehicles or other motor vehicles within a natural area.....	3(1)(c)	200
4	Constructing roads, rights-of-way, driveways, docks, landing strips or parking lots within a natural area.....	3(1)(d)	200

5	Erecting or constructing buildings, signs, fences or structures within a natural area.....	3(1)(e)	200
6	Dumping, filling, excavating, mining or otherwise adding or removing surface or sub-surface material within a natural area.....	3(1)(f)	200
7	Constructing drainage ditches, dams, retaining walls, towers, lines, pipelines or other undertakings which affect the topography of the land within a natural area.....	3(1)(g)	200
8	Conveying an interest in a natural area without the written consent of the Minister.....	4	200

2. Schedule 2 of the Summary Proceedings Act Ticket Regulations (EC58/08) is amended by the addition of the following immediately after PART 40:

PART 40.01

**PLANNING ACT
Subdivision and Development Regulations
(EC693/00)**

Item Number	Column I Offence	Column II Section	Column III Penalty for out of court settlement
1	Developing or constructing a road on a primary, secondary or baymouth barrier sand dune.....	40(1)	\$200
2	Subdividing a parcel of land on an off-shore island.....	64(1)(a)	200
3	Constructing or locating a building or development on a sand dune or wildlife habitat on an off-shore island.....	64(1)(b)	200
4	Locating on an off-shore island a building or development other than a summer cottage with a water supply and sewage disposal system meeting the requirements of the <i>Environmental Protection Act</i>	64(1)(c)	200
5	Undertaking development in the Morell River Conservation Zone without a permit.....	67(4)	200
6	Owner of property within the Morell River Conservation Zone permitting development without a permit.....	67(5)	200
7	Expanding, relocating, structurally altering or otherwise undertaking development with respect to an existing use within the Morell River Conservation Zone.....	67(7)	200

PART 40.02

**RECREATION DEVELOPMENT ACT
R.S.P.E.I. 1988, Cap. R-8**

Item Number	Column I Offence	Column II Section	Column III Penalty for out of court settlement
1	Using an area designated as a protected area in a manner destructive of preserved objects or elements.....	10	\$200
2	Wilfully taking sand, gravel or stone from a protected beach.....	11(a)	200
3	Defacing or altering a protected beach.....	11(b)	200
4	Depositing refuse, litter or other material on a protected beach without the permission of the Minister.....	11(c)	200
5	Using a provincial park, protected area or protected beach in a manner contrary to the regulations.....	12	200
6	Contravening Act or regulations where no penalty provided.....	14(b)	200

PART 40.03

**RECREATION DEVELOPMENT ACT
Provincial Parks Regulations
(EC1134/66)**

Item Number	Column I Offence	Column II Section	Column III Penalty for out of court settlement
1	Removing a flower, shrub or plant in a provincial park.....	2(a)	\$200
2	Wilfully defacing a natural object or injuring a tree, shrub flower or grass in a provincial park.....	2(b)	200
3	Removing, defacing, damaging or destroying a sign board, sign, public building or structure in a provincial park.....	2(c)	200
4	Removing or displacing any rock, sand, mineral, fossil or object of natural interest in a provincial park.....	2(d)	200
5	Polluting or obstructing a stream or body of water in a provincial park.....	2(e)	200
6	Displaying an advertisement in a provincial park.....	2(f)	200
7	Selling or offering for sale an article or service or carrying on a business in a provincial park.....	2(g)	200

8	Depositing rubbish or offensive matter in a provincial park except in an incinerator or trash basket.....	2(h)	200
9	Starting or maintaining an open fire in a provincial park except in a fire place or grill.....	2(i)	200
10	Dropping a burning match, lighted cigar or cigarette or other burning substance in a provincial park.....	2(j)	200
11	Begging or soliciting in a provincial park.....	2(k)	200
12	Permitting a horse, dog or other animal to be at large in a provincial park.....	2(l)	200
13	Operating a motor vehicle in a provincial park or in designated areas other than on public highways and public parking areas.....	2(m)	200
14	Camping in a provincial park or in designated areas not designated for camping.....	2(n)	200
15	Removing or defacing a traffic sign or device in a provincial park.....	3(3)	200
16	Disobeying an official traffic sign, signal or device in a provincial park.....	3(4)	200
17	Refusing or failing to comply with an order, signal or direction of the Minister in a provincial park.....	4	200
18	Camping within a provincial park without a permit.....	5(1)	200
19	Camping within a provincial park for more than fourteen consecutive days and nights without permission.....	5(2)	200
20	Entering or attempting to enter a provincial park after being removed from the park by the caretaker.....	7	200
21	Acting in a noisy or disorderly manner, creating a disturbance, pursuing offensive conduct or being in an intoxicated condition.....	8	200
22	Hunting, shooting, snaring, killing, poisoning or harming a bird, fowl, mammal, amphibian, reptile, fish or other creature.....	11	200

3. Part 51 of Schedule 2 of the regulations is amended

(a) by the revocation of items 2 to 5 and the substitution of the following:

2	Knowingly giving false or misleading information to a conservation officer, natural resource inspector or license vendor	15(a)	200
3	Refusing to produce license or permit on the request of a conservation officer or natural resource inspector.....	15(b)	200
4	Selling, transferring or assigning license.....	15(c)	200
5	Permitting license to be used by another person.....	15(d)	200
5.1	Using another person's license.....	15(e)	200

(b) by the revocation of item 11 and the substitution of the following:

11	Shoot at game within 200 metres of school, church, meeting place, farm building, occupied dwelling or livestock without permission or within 300 metres of where migratory birds are kept.....	19(1)(f)	200
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(c) by the addition of the following after item 18:

18.1	Representing self as a conservation officer.....	19.1	200
18.2	Failing to comply with an order made under subsection 20(4) or (7).....	20(12)	200 (individual) 1,000 (corporation)
18.3	Obstructing, impeding or refusing to admit a conservation officer or other person executing a warrant.....	21.2(5)	200

4. These regulations come into force on May 8, 2010.

EXPLANATORY NOTES

SECTIONS 1 to 3 outline the ticketable offences in the *Natural Areas Protection Act Regulations*, *Recreation Development Act*, *Recreation Development Act Provincial Parks Regulations* and the *Wildlife Conservation Act*.

SECTION 4 provides for the commencement of these regulations.