

EC2010-403

CREDIT UNIONS ACT
CREDIT UNION DEPOSIT INSURANCE CORPORATION
BOARD OF DIRECTORS
APPOINTMENT

Pursuant to clause 162(1)(b) of the *Credit Unions Act* R.S.P.E.I. 1988, Cap. C-29.1, Council made the following appointment:

NAME	TERM OF APPOINTMENT
Peter Schurman	24 July 2010
West Royalty	to
(vice Richard Montigny, resigned)	24 July 2013

EC2010-404

FINANCIAL ADMINISTRATION ACT
CAPITAL BUDGET 2010/2011
TRANSFER ORDER

Pursuant to subsection 37.1(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council approved the following budget transfers:

From	To	Amount
Department of Communities, Cultural Affairs and Labour	Department of Justice and Public Safety	\$4,250,000.00
	Department of Health and Wellness	\$200,000.00
	Department of Tourism and Culture	\$50,000.00
Department of Health	Health PEI	\$50,691,600.00

EC2010-405

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
SUMMERSIDE REGIONAL DEVELOPMENT CORPORATION
AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to advance a term loan of up to nine hundred thousand dollars (\$900,000.00) to the Summerside Regional Development Corporation, subject to terms and conditions acceptable to the Board of Directors of Island Investment Development Inc.

EC2010-406

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
THADDEUS CZARNOCKI-POST AND SHEILA POST-CZARNOCKI
(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 Thaddeus Czarnocki-Post and Sheila Post-Czarnocki, both of East Hardwick, Vermont to acquire a land holding of approximately thirty-one (31) acres of land in Lot 46, Kings County, Province of Prince Edward Island, being acquired from Michael L. Sanjenis and Julie A. Sanjenis, both of New York, New York.

EC2010-407

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ELIZABETH W. DOUDOUMOPOULOS,
ALEXANDER DOUDOUMOPOULOS, NICHOLAS DOUDOUMOPOULOS,
JOHN S. CLAPP, JR., SARAH D. BEECHLER, ELIZABETH W. LANE,
THOMAS WILKINSON AND JOHN WILKINSON
(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 Elizabeth W. Doudoumopoulos and Alexander Doudoumopoulos, both of Chevy Chase, Maryland; Nicholas Doudoumopoulos of Garrett Park, Maryland; John S. Clapp, Jr. of Needham, Massachusetts; Sarah D. Beechler of Pittsburgh, Pennsylvania; Elizabeth W. Lane of Eliot, Maine; Thomas Wilkinson of Hudson, Massachusetts; and John Wilkinson of Millis, Massachusetts; to acquire an interest in a land holding of approximately one hundred and forty-four decimal two seven (144.27) acres of land in Lot 39, Kings County, Province of Prince Edward Island, being acquired from Ginny MacDonald, Trustee, of Canavoy, Prince Edward Island.

EC2010-408

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ROLF TOMLINS AND ANN MARIE TOMLINS
(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 Rolf Tomlins and Ann Marie Tomlins, both of New Lowell, Ontario to acquire a land holding of approximately forty-six (46) acres of land in Lot 59, Kings County, Province of Prince Edward Island, being acquired from Robert Kelly Clements of Lower Montague, Prince Edward Island.

EC2010-409

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
CROSS SHORES ESTATES LOT OWNERS ASSOCIATION 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 Cross Shores Estates Lot Owners Association Ltd. of Wellington, Prince Edward Island to acquire a land holding of approximately thirteen decimal five six (13.56) acres of land in Lot 14, Prince County, Province of Prince Edward Island, being acquired from Michael Poczynek of Summerside, Prince Edward Island.

EC2010-410

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
G & P TRUCKING & CONSTRUCTION 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 G & P Trucking & Construction Ltd. of St. Peters Bay, Prince Edward Island to acquire a land holding of approximately eighty-eight (88) acres of land in Lot 35, Queens County, Province of Prince Edward Island, being acquired from Blair Dougan and Helen Dougan, both of Charlottetown, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said G & P Trucking & Construction Ltd. and on all successors in title.

EC2010-411

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JASPER WYMAN & SON CANADA 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 Jasper Wyman & Son Canada Inc. of Canavoy, Prince Edward Island to acquire a land holding of approximately one hundred and forty-four decimal two seven (144.27) acres of land in Lot 39, Kings County, Province of Prince Edward Island, being acquired from Ginny MacDonald, Trustee, of Canavoy, 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.

EC2010-412

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MACLENNAN INVESTMENTS 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 MacLennan Investments Ltd. of Charlottetown, Prince Edward Island to acquire a land holding of approximately zero decimal six one (0.61) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from MacLennan Holdings Ltd. of Charlottetown, Prince Edward Island.

EC2010-413

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MARGATE 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 Margate Farms Ltd. of Margate, Prince Edward Island to acquire a land holding of approximately forty-two (42) acres of land in Lot 19, Prince County, Province of Prince Edward Island, being acquired from Steven van der Veen of Margate, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 87114, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

EC2010-414

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
TROUT RIVER HOMES 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 Trout River Homes Inc. of Hunter River, Prince Edward Island to acquire a land holding of approximately three (3) acres of land in Lot 22, Queens County, Province of Prince Edward Island, being acquired from Keith Bagnall of Fredericton, New Brunswick.

EC2010-415

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WAGNER'S COTTAGES & OUTFITTERS 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 Wagner's Cottages & Outfitters Ltd. of Ellerslie, Prince Edward Island to acquire a land holding of approximately ten decimal eight two (10.82) acres of land in Lot 11, Prince County, Province of Prince Edward Island, being acquired from Eric Wagner of Ellerslie, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Wagner's Cottages & Outfitters Ltd. and on all successors in title.

EC2010-416

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 061036, LOT 16, 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 one hundred and forty-seven decimal four three (147.43) acres of land, being Provincial Property No. 061036 located in Lot 16, Prince County, Prince Edward Island and currently owned by Joppe Farms Inc. of Miscouche, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately five (5) acres, and 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 20 July 2010.

EC2010-417

**PESTICIDES CONTROL ACT
REGULATIONS
AMENDMENT**

Pursuant to 22 of the *Pesticides Control Act* R.S.P.E.I. 1988, Cap. P-4, Council made the following regulations:

1. Schedule 2 of the *Pesticides Control Act* Regulations (EC761/05) is amended

(a) in clause (b), by the addition of the words "or agricultural" after the words "in household";

(b) in clause (h), by the deletion of the words "as bait for flies" and the substitution of the words "as bait or attractant for flies or biting insects";

(c) in clause (j), by the deletion of the word “or” after the semicolon;

(d) in clause (k), by the deletion of the period and the substitution of the words “; or”; and

(e) by the addition of the following after clause (k):

(l) as a mechanism to repel, attract or otherwise control or kill nuisance insects.

2. Schedule 7 of the regulations is amended by the addition of the following after item 27:

27.1 iron;

3. These regulations come into force on July 31, 2010.

EXPLANATORY NOTES

SECTION 1 amends Schedule 2 of the regulations. Schedule 2 outlines a list of excluded pesticides to which the regulations do not apply. The amendment provides that a pesticide used in household or agricultural cleansers, deodorizers, disinfectants or soaps is included in the excluded list of pesticides. Also included in the excluded list is a pesticide used as bait or attractant for flies or biting insects and a pesticide used as a mechanism to repel, attract or otherwise control or kill nuisance insects.

SECTION 2 amends Schedule 7 of the regulations. Schedule 7 outlines a list of pesticides designated as exempted pesticides. Added to this list is “iron” as an exempted pesticide.

SECTION 3 provides for the commencement of these regulations.

EC2010-418

PROVINCIAL COURT ACT
AND
VICTIMS OF FAMILY VIOLENCE ACT
JUSTICE OF THE PEACE APPOINTMENT AND DESIGNATION
J. J. GALLANT
(TO RESCIND)

Council, having under consideration Orders-in-Council EC2008-142 and EC2008-143 of 4 March 2008, amended the said Orders by deleting the name of J. J. Gallant, thus rescinding the appointment of J. J. Gallant (resigned) as Justice of the Peace pursuant to section 14 of the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25 and his designation pursuant to section 14 of the *Victims of Family Violence Act*, R.S.P.E.I. 1988, Cap. V-3.2 to hear and determine applications pursuant to that Act.

EC2010-419

REAL PROPERTY TAX ACT
REGULATIONS
AMENDMENT

Pursuant to section 43 of the *Real Property Tax Act* R.S.P.E.I. 1988, Cap. R-5, Council made the following regulations:

1. Clause 1(c) of the *Real Property Tax Act* Regulations (EC512/72) is revoked.

2. Subsections 16(1) and (2) of the regulations are revoked and the following substituted:

16. (1) The Minister shall pay, within a year, to a municipality the amount prescribed under section 22 of the Act, to be disbursed to the municipality in respect of the taxes it has levied for that year by the last day of each calendar month, one-twelfth of the taxes levied for that year. Payment of taxes to municipalities

(2) The Minister shall pay, within a year, to the Island Waste Management Corporation the amount prescribed under section 22 of the Act, to be disbursed to the Island Waste Management Corporation in respect of the waste management fees it has levied for that year, by the last day of each calendar month, one-twelfth of the waste management fees levied for that year. Payment of waste management fees

3. Section 18 of the regulations is amended

(a) in clause (c), by the deletion of the words “School Act R.S.P.E.I. 1988, Cap. S-2” and the substitution of the words “School Act R.S.P.E.I. 1988, Cap. S-2.1”; and

(b) in clause (f), by the deletion of the period and the substitution of a semicolon.

4. Clause 24.1(1)(b) of the regulations is amended by the deletion of the word “the” before the words “Prince Edward Island”.

5. (1) Clause 24.2(2)(b) of the regulations is amended

(a) by the deletion of the words “Department of Agriculture, Fisheries, Aquaculture and Forestry” and the substitution of the words “Department of Agriculture”; and

(b) by the revocation of subclause (i) and the substitution of the following:

(i) the Environmental Protection Act Watercourse and Wetland Protection Regulations,

(2) Clause 24.2(3)(b) of the regulations is amended by the deletion of the words “Department of Agriculture, Fisheries, Aquaculture and Forestry” and the substitution of the words “Department of Agriculture”.

6. Form C of Schedule A of the regulations is amended

(a) by the deletion of the words “DEPARTMENT OF THE PROVINCIAL TREASURY” and the substitution of the words “DEPARTMENT OF FINANCE AND MUNICIPAL AFFAIRS”;

(b) by the deletion of the words “PURSUANT TO THE REAL PROPERTY ASSESSMENT ACT” and the substitution of the words “PURSUANT TO THE REAL PROPERTY TAX ACT”;

(c) by the deletion of the words “AND TAKE NOTICE that the property is liable to be sold at a public sale as provided by section of the Act” and the substitution of the words “AND TAKE NOTICE that the property is liable to be sold at a public sale as provided by section 16 of the Act”; and

(d) by the deletion of the words “Provincial Treasurer” and the substitution of the words “Minister of Finance and Municipal Affairs”.

7. Form D of Schedule A of the regulations is amended

(a) by the deletion of the words “DEPARTMENT OF THE PROVINCIAL TREASURY” and the substitution of the words “DEPARTMENT OF FINANCE AND MUNICIPAL AFFAIRS”; and

(b) by the deletion of the words “Provincial Treasurer” and the substitution of the words “Minister of Finance and Municipal Affairs”.

8. Form E of Schedule A of the regulations is amended by the deletion of the words “Provincial Treasurer” and the substitution of the words “Minister of Finance and Municipal Affairs”.

9. Form H of Schedule A of the regulations is amended

(a) by the deletion of the words “DEPARTMENT OF THE PROVINCIAL TREASURY” and the substitution of the words “DEPARTMENT OF FINANCE AND MUNICIPAL AFFAIRS”;

(b) by the deletion of the words “Provincial Treasurer” wherever they occur and the substitution of the words “Minister of Finance and Municipal Affairs”; and

(c) by the deletion of the words “in pursuance of powers conferred by section 15 of the said Act” and the substitution of the words “pursuant to the authority conferred by section 17 of the said Act”.

10. Form I of Schedule A of the regulations is amended

(a) by the deletion of the words “DEPARTMENT OF THE PROVINCIAL TREASURY” and the substitution of the words “DEPARTMENT OF FINANCE AND MUNICIPAL AFFAIRS”;
and

(b) by the deletion of the words “Provincial Treasurer” wherever they occur and the substitution of the words “Minister of Finance and Municipal Affairs”.

11. These regulations come into force on July 31, 2010.

EXPLANATORY NOTES

SECTION 1 revokes a definition that is not necessary to include in the regulations since the term is defined in the Act.

SECTION 2 amends section 16 of the regulations. Section 16 sets out the manner in which taxes collected on behalf of a municipality are to be paid out during the year. The provision also sets out the manner in which fees collected on behalf of Island Waste Management Corporation are to be paid out during the year. Payments have been made in three instalments during a calendar year; on June 1, September 1 and December 1. The amendment changes the payment schedule from three instalments to 12 monthly instalments, payable by the last day of each calendar month.

SECTION 3 corrects two small grammatical errors.

SECTION 4 corrects a minor grammatical error.

SECTION 5 amends the Department name to coincide with the restructure of Government in January, 2010. The provision requiring a person to submit a statement to the Department certifying compliance with mandated legislation and guidelines is amended to include regulations made under the *Environmental Protection Act*.

SECTIONS 6 to 10 amend Forms C, D, E, H and I of Schedule A of the regulations to reflect the proper name of the Department and Minister.

SECTION 11 provides for the commencement of these regulations.

EC2010-420**ROADS ACT
HIGHWAY ACCESS REGULATIONS
AMENDMENT**

Pursuant to subsection 29(1) of the *Roads Act* R.S.P.E.I. 1988, Cap. R-15, Council made the following regulations:

1. TABLE G-1, of Schedule G, MINIMUM SAFE STOPPING DISTANCE REQUIREMENT, of the *Roads Act Highway Access Regulations (EC580/95)* is amended by the addition of the following, under the appropriate headings, after the entry relating to “Within 200 metres of a right-of-way control sign on any highway identified in Schedules B, C-1, C-2, C-3 or D”:

Within 200 metres of the shore end of any highway, identified in Schedule C-3 or D, which ends at the shore	85
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2. These regulations come into force on July 31, 2010.

EXPLANATORY NOTES

SECTION 1 provides for a minimum safe stopping distance of 85 metres for an entranceway within 200 metres of the end of any highway, identified in Schedule C-3 or D, which ends at the shore.

SECTION 2 provides for the coming into force of these regulations.