

EC2015-461

ADVISORY COUNCIL ON THE STATUS OF WOMEN ACT
ADVISORY COUNCIL ON THE STATUS OF WOMEN
APPOINTMENTS

Pursuant to section 5 of the *Advisory Council on the Status of Women Act* R.S.P.E.I. 1988, Cap. A-6 Council made the following appointments:

NAME	TERM OF APPOINTMENT
Diana Lariviere Argyle Shore (vice Diane Kays, deceased)	28 July 2015 to 28 July 2018

Further and in accordance with section 7 of the Act, Council appointed Kelly Robinson as chairperson of the Advisory Council (vice Diane Kays) for the balance of her term, expiring 1 March 2016, and appointed Catherine Rankin as vice-chairperson (vice Kelly Robinson) for the balance of her term, expiring 26 July 2016.

EC2015-462

ENVIRONMENTAL PROTECTION ACT
ENVIRONMENTAL ADVISORY COUNCIL
APPOINTMENTS

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

NAME	TERM OF APPOINTMENT
Wayne Gallant Summerside (reappointed)	10 April 2015 to 10 April 2018
Dean Stewart Summerside (reappointed)	10 April 2015 to 10 April 2018

EC2015-463

**ENVIRONMENTAL PROTECTION ACT
DRINKING WATER AND WASTEWATER
FACILITY OPERATING REGULATIONS
AMENDMENT**

Pursuant to section 25 of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9, Council made the following regulations:

1. Subsection 1(1) of the *Environmental Protection Act Drinking Water and Wastewater Facility Operating Regulations (EC710/04)* is amended

(a) in clause (b), by the deletion of the words “a public drinking water supply facility, small public drinking water supply facility, water treatment facility, water distribution facility, wastewater treatment facility or wastewater collection facility,” and the substitution of the word “facilities”;

(b) by the revocation of clause (c) and the substitution of the following:

(c) “Chief Public Health Officer” means the Chief Public Health Officer appointed under the *Public Health Act* R.S.P.E.I. 1988, Cap. P-30.1; Chief Public Health Officer

(c) in clauses (d) and (e), by the deletion of the word “Department” and the substitution of the word “Minister”;

(d) by the revocation of clause (f);

(e) by the revocation of clause (h) and the substitution of the following:

(h) “direct responsible charge experience” or “DRC experience” means experience as an operator having direct responsibility for, and charge of, a process that controls the effectiveness or efficiency of a facility; direct responsible charge experience or DRC experience

(f) in clause (i),

(i) by the deletion of the words “small public drinking water supply facility,”, and

(ii) by the deletion of the words “, but does not include a semi-public drinking water supply system”;

(g) by the revocation of clause (j) and the substitution of the following:

(j) “facility classification certificate” means a facility classification certificate issued or deemed to have been issued pursuant to section 2; facility classification certificate

(h) by the revocation of clause (n) and the substitution of the following:

(n) “operator” means a person who directs, adjusts, inspects, tests or evaluates an operation or a process that controls the effectiveness or efficiency of a facility; operator

(n.1) “operator-in-charge” means a person, designated pursuant to subsection 4(1) or section 4.1, who has direct responsibility for, and charge of, the overall operation, repair and maintenance of a facility; operator-in-charge

(i) in clause (p), by the deletion of the words “public drinking water supply facility, small public drinking water supply facility, water treatment facility, water distribution facility, wastewater treatment facility, wastewater collection facility or” and the substitution of the words “facility or a”;

(j) by the revocation of clauses (q) and (r) and the substitution of the following:

(q) “public drinking water supply facility” means a water supply facility with five or more service connections that supplies drinking water to the public; public drinking water supply facility

(r) “semi-public drinking water supply system” means a water supply system with limited distribution, not connected to a public drinking water supply facility, that supplies drinking water to the public; semi-public drinking water supply system

(k) by the revocation of clauses (s) and (t).

2. (1) Subsection 2(3) of the regulations is amended in the words preceding clause (a), by the deletion of the word “Department” and the substitution of the word “Minister”.

(2) Subsections 2(4), (5) and (6) of the regulations are revoked and the following substituted:

(4) Where the Minister determines at any time that a facility requires reclassification based on changes in the condition or circumstances of the facility, the Minister may advise the owner of the facility of the Minister’s determination in writing and issue a new facility classification certificate for the facility to the owner of the facility. Reclassification

(5) A facility classification certificate is valid unless or until it is revoked or replaced by the Minister. Validity of certificate

3. Subsection 3(1) of the regulations is revoked and the following substituted:

3. (1) The Minister shall classify a facility in accordance with Schedule A to these regulations, which forms part of these regulations. Classification

4. (1) Subsection 4(1) of the regulations is amended by the deletion of the words “place the responsibility for the operation, repair and maintenance of the facility under the direct responsible charge of” and the substitution of the words “designate, as the operator-in-charge of the facility,”.

(2) Subsection 4(2) of the regulations is amended by the deletion of the word “operator” and the substitution of the words “operator-in-charge”.

(3) Subsection 4(3) of the regulations is amended by the deletion of the words “operator of the facility, the Department may issue a temporary permit to the operator that authorizes the operator to operate the facility” and the substitution of the words “operator-in-charge of the facility, the Minister may issue a temporary permit to the operator-in-charge that authorizes him or her to act as the operator-in-charge of the facility”.

(4) Subsection 4(5) of the regulations is amended by the deletion of the word “Department” and the substitution of the word “Minister”.

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

4.1 (1) Notwithstanding section 4, the owner of a Class A water distribution facility may designate as the operator-in-charge of the facility a person who holds Exception, Class A facility

(a) a valid certificate of qualification or permit in the plumbing trade issued under the *Apprenticeship and Trades Qualification Act* R.S.P.E.I. 1988, Cap. A-15.2; and

(b) a valid plumbing contractor’s license issued under A Code for Plumbing Services Regulations (EC666/86),

and that person may act as the operator-in-charge of the facility.

(2) Notwithstanding section 4, the owner of a Class I wastewater collection facility that serves less than 250 persons may designate as the operator-in-charge of the facility a person who holds a Class B operator’s certificate and that person may act as the operator-in-charge of the facility. Exception, wastewater collection facility

4.2 A person who, immediately before the date this section comes into force, holds a small facility operator's certificate is deemed on the coming into force of this section to hold a Class B operator's certificate, until the date of expiry of the original certificate, unless it is sooner deemed invalid under these regulations.

Transitional, small facility operator's certificate

6. (1) Subsection 7(1) of the regulations is amended by the deletion of the word "Department" and the substitution of the word "Minister".

(2) Subsection 7(2) of the regulations is amended by the deletion of the word "Department" wherever it occurs and the substitution of the word "Minister".

7. Section 8 of the regulations is amended by the deletion of the words "Chief Health Officer" and the substitution of the words "Chief Public Health Officer".

8. Sections 9 and 10 of the regulations are revoked and the following substituted:

9. Subject to subsection 12(1), the owner of a semi-public drinking water supply system shall ensure that water quality samples are

Monitoring frequency - semi-public drinking water supply system

- (a) collected and analysed for the presence of coliform bacteria and E.coli at least once per quarter each year; and
- (b) collected from each source of supply and subjected to a general chemical analysis at least once every three years.

10. (1) Subject to subsection 12(2), the owner of a public drinking water supply facility classified as a Class B water distribution facility shall ensure that water quality samples are

Monitoring frequency, public drinking water supply facility

- (a) collected from each source of supply, and from at least two sites within the distribution system, and analysed for the presence of coliform bacteria and E.coli at least once per quarter each year; and
- (b) collected from each source of supply and subjected to a general chemical analysis at least once every three years.

(2) Subject to subsection 12(3), the owner of a public drinking water supply facility classified as a Class A water distribution facility shall ensure that water quality samples are

Idem

- (a) collected from each source of supply, and from at least one site within the distribution system, and analysed for the presence of coliform bacteria and E.coli at least once per quarter each year; and
- (b) collected from each source of supply and subjected to a general chemical analysis at least once every three years.

9. (1) Subsection 11(1) of the regulations is amended

(a) in the words preceding clause (a), by the deletion of the words "where a free chlorine residue of 0.1 milligrams" and the substitution of the words "classified as a Class I, II, III or IV water distribution facility or water treatment facility where a free chlorine residue of 0.2 milligrams";

(b) in clauses (c) and (d), by the deletion of the words "analyzed for" and the substitution of the words "subjected to"; and

(c) in clauses (e) and (f), by the deletion of the word "Department" and the substitution of the word "Minister".

(2) Subsection 11(2) of the regulations is amended

(a) in the words preceding clause (a), by the deletion of the words "where a free chlorine residue of 0.1 milligrams" and the substitution of the words "classified as a Class I, II, III or IV water distribution facility or water treatment facility where a free chlorine residue of 0.2 milligrams"; and

(b) in clauses (c) and (d), by the deletion of the words "analyzed for" and the substitution of the words "subjected to".

10. Section 12 of the regulations is revoked and the following substituted:

12. (1) Where a semi-public drinking water supply system is not operated year round, the owner shall ensure that, prior to resuming operations, water quality samples are collected and analysed for the presence of coliform bacteria and E.coli. Seasonal operation,
semi- public system

(2) Where a public drinking water supply facility classified as a Class B water distribution facility is not operated year round, the owner shall ensure that, prior to resuming operations, water quality samples are collected from each source of supply, and from at least two sites within the distribution system, and analysed for the presence of coliform bacteria and E.coli. Seasonal operation,
public supply
facility

(3) Where a public drinking water supply facility classified as a Class A water distribution facility is not operated year round, the owner shall ensure that, prior to resuming operations, water quality samples are collected from each source of supply, and from at least one site within the distribution system, and analysed for the presence of coliform bacteria and E.coli. *Idem*

11. Subsections 13(2) and (3) of the regulations are amended by the deletion of the word “Department” and the substitution of the word “Minister”.

12. (1) Subsection 16(1) of the regulations is amended by the deletion of the word “Department” and the substitution of the word “Minister”.

(2) Subsection 16(2) of the regulations is amended by the deletion of the word “Department” wherever it occurs and the substitution of the word “Minister”.

13. Clauses 17(1)(c) and (2)(c) of the regulations are amended by the deletion of the word “Department” and the substitution of the word “Minister”.

14. Subsection 18(2) of the regulations is amended by the deletion of the word “Department” and the substitution of the word “Minister”.

15. (1) Subsection 20(1) of the regulations is amended by the deletion of the words “to the Department, for the approval of the Minister” and the substitution of the words “to the Minister for approval”.

(2) Subsection 20(2) of the regulations is amended in the words preceding clause (a) and in clauses (b) and (c), by the deletion of the word “Department” and the substitution of the word “Minister”.

(3) Clauses 20(3)(a) to (f) of the regulations are amended by the deletion of the word “Department” and the substitution of the word “Minister”.

(4) Subsection 20(8) of the regulations is amended by the deletion of the word “Department” wherever it occurs and the substitution of the word “Minister”.

16. Schedule A of the regulations is amended

(a) by the revocation of sections 1 to 7 under the heading “CLASSIFICATION OF FACILITIES” and the substitution of the following:

1. (1) A facility shall be classified as one of the following types:

- (a) water treatment facility (WT);
- (b) water distribution facility (WD);
- (c) wastewater treatment facility (WWT);
- (d) wastewater collection facility (WWC).

(2) A public drinking water supply facility shall be classified as a water distribution facility unless a chemical other than chlorine is added

to the water supplied, in which case it shall be classified as a water treatment facility.

(3) A wastewater facility with only collection, lift stations and chlorination shall be classified as a wastewater collection facility.

(4) A water or wastewater facility with only simple in-line treatment, such as booster pumping, secondary chlorination or odour control, shall not be classified as a water treatment facility or a wastewater treatment facility, as the case may be.

2. (1) Subject to sections 3, 4 and 5, a water distribution facility or wastewater collection facility shall be classified as Class A, B, I, II, III or IV based on the number of service connections the facility has or the size of the population served by the facility, in accordance with Table 1.

(2) A water treatment facility or wastewater treatment facility shall be classified as Class I, II, III or IV based on the number of points assigned to it under Table 2 or 3, as the case may be.

3. Class A and Class B apply only to public drinking water supply facilities classified as water distribution facilities that are not owned by a municipality.

4. A public drinking water supply facility classified as a water distribution facility that is not owned by a municipality, has more than 150 service connections and supplies a campground, is deemed to be a Class B facility.

5. A public drinking water supply facility classified as a water distribution facility that serves less than 500 persons but does not meet the criteria for Class A or Class B is deemed to be a Class I facility.

6. (1) A facility that was, immediately before the date this subsection comes into force defined as a small public drinking water supply facility is, on the coming into force of this subsection, deemed to be

(a) where the facility is not owned by a municipality and has 5 to 20 service connections, a Class A water distribution facility;

(b) where the facility is not owned by a municipality and has more than 20 but less than 150 service connections, a Class B water distribution facility;

(c) where neither clause (a) nor (b) apply, a Class I water distribution facility.

(2) A wastewater collection facility that was, immediately before the date this subsection comes into force, defined as a small wastewater collection facility is, on the coming into force of this subsection, deemed to be a Class I wastewater collection facility.

(b) by the revocation of Table 1 and the substitution of the following:

TABLE 1

FACILITY CLASSIFICATION SYSTEM

Facility	Units	CLASS A	CLASS B	CLASS I	CLASS II	CLASS III	CLASS IV
WT	Range of points	N/A	N/A	30 or less	31-55	56-75	> 75
WD	Service Connections	5 - 20	21 - 150	N/A	N/A	N/A	N/A
	Population served	N/A	N/A	500 - 1,500	1,501 - 15,000	15,001 - 50,000	> 50,000
WWT	Range of points	N/A	N/A	30 or less	31-55	56-75	> 75
WWC	Population served	N/A	N/A	1,500 or less	1,501 - 15,000	15,001 - 50,000	> 50,000

(c) in Table 2, by the deletion of the words “A drinking water supply facility with only chlorination added is considered a distribution system, not a water treatment facility. The addition of any chemical, other than chlorine, to a public drinking water supply facility shall be considered water treatment and the person in direct responsible charge should use this rating worksheet to determine the classification of the facility.”;

(d) in Table 3,

(i) by the deletion of the words “A wastewater facility with only collection, lift stations, and chlorination is considered a collection system and not a wastewater treatment facility.”,

(ii) under the heading “Solids handling”, by the deletion of the words “facility operator in direct responsible charge” and the substitution of the words “operator-in-charge”, and

(iii) in footnote 2, by the deletion of the words “operator in direct responsible charge” and the substitution of the words “operator-in-charge”; and

(e) in the definition of “Land application of biosolids by contractor” following Table 3, by the deletion of the words “operator in direct responsible charge” and the substitution of the words “operator-in-charge”.

17. Schedule B of the regulations is amended

(a) in the Table, by the deletion of the words “Small Facility” and the substitution of the words “CLASS B”;

(b) in clause (c), by the deletion of the words “in direct responsible charge (DRC)” and the substitution of the words “direct responsible charge experience”;

(c) in clause (d), by the deletion of the words “in DRC” and the substitution of the words “direct responsible charge experience”; and

(d) under the heading “Operator Educational and Operating Experience Requirements”,

(i) by the deletion of the subheading “Small Facility” and the substitution of the words “Class B”,

(ii) under the subheading “Class B”,

(A) in section 1, by the deletion of the word “small” and the substitution of the words “Class B or higher”, and

(B) in section 3, by the deletion of the word “small” and the substitution of the words “Class B”,

(iii) under the subheading “Class III”, in section 3, by the addition of the word “experience” after the word “charge”.

18. Schedule C of the regulations is revoked and Schedule C as set out in the Schedule to these regulations is substituted.

19. These regulations come into force on August 8, 2015.

SCHEDULE SCHEDULE C

REQUIRED DRINKING WATER QUALITY MONITORING PARAMETERS

1. A general chemical analysis for the purpose of these regulations shall include, as a minimum, the analysis of a water quality sample for the following:

alkalinity	arsenic	barium	calcium
chloride	copper	hardness	iron
lead	magnesium	manganese	nitrate
pH	potassium	phosphorous	selenium
sodium	sulphate	uranium	zinc

2. A detailed chemical analysis for the purpose of these regulations shall include, as a minimum, the analysis of a water quality sample for the following*:

Metals and other inorganic constituents:

aluminium	antimony	boron	bromate
cadmium	chromium	fluoride	silver
strontium	vanadium		

Organic constituents:

benzene	benzo[a]pyrene	bromodichloromethane
bromoform	carbon tetrachloride	chloramines
chloroform	chlorodibromomethane	chlorophenols
dichlorobenzenes	dichloroethane	dichloroethylene
dichloromethane	ethylbenzene	monochlorobenzene
tetrachloroethylene	toluene	trichloroethylene
vinyl chloride	xylenes	

* Note: a standard metals scan and volatile organic compounds (VOC) scan offered by most commercial laboratories will normally include the parameters required for a detailed chemical analysis.

EXPLANATORY NOTES

SECTION 1 amends a number of definitions, adds a definition of “operator-in-charge” and repeals definitions of “small public drinking water supply facility” and “small wastewater collection facility”, as these terms are no longer used in the Act.

SECTION 2 replaces a reference to “Department” with “Minister”, as it is the Minister who is a legal person able to act. A Department is not a legal person. The section revokes two provisions that repeat requirements in the Act and revokes and replaces another provision with better wording. It adds a provision indicating that a facility classification certificate is valid until it is revoked or replaced by the Minister.

SECTION 3 revokes and replaces a provision with better wording.

SECTION 4 requires the designation of an operator-in-charge of a facility. It also replaces references to “operator” with “operator-in-charge” and a reference to “Department” with “Minster”.

SECTION 5 provides exceptions to section 4. It permits the owner of a Class A water distribution facility to designate a person with certain plumbing qualifications as the operator-in-charge of a Class A water distribution facility. It also permits the designation of a person who holds a Class B operator’s certificate as the operator-in-charge of a Class I wastewater collection facility that serves less than 250 persons. It also provides a transitional provision under which a person who holds a small facility operator’s certificate is deemed to hold a Class B operator’s certificate on the coming into force of the section.

SECTION 6 replaces references to “Department” with “Minister”.

SECTION 7 corrects the title of the Chief Public Health Officer.

SECTION 8 sets out the drinking water monitoring requirements for semi-public drinking supply systems and Class A and Class B public drinking water supply facilities.

SECTION 9 clarifies that section 11 of the Act applies to public drinking water supply facilities that are classified as a Class I, II, III or IV water distribution facility or water treatment facility.

SECTION 10 provides additional monitoring requirements for semi-public drinking supply systems and Class A and Class B public drinking water supply facilities that are not operated year round.

SECTIONS 11 - 15 replace references to “Department” with “Minister”.

SECTION 16 amends Schedule A of the regulations by revoking and replacing provisions respecting the classification of facilities. It also revokes and replaces Table 1, removes redundant wording in Tables 2 and 3 and replaces references to “operator” with “operator-in-charge”.

SECTION 17 amends Schedule B of the regulations by replacing references to “Small Facility” with “Class B” and to “direct responsible charge” or “DRC” with “direct responsible charge experience” or “DRC experience”.

SECTION 18 revokes and replaces Schedule C of the regulations.

SECTION 19 provides for the commencement of these regulations.

EC2015-464

**AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT
DECLARATION RE**

Under authority of section 9 of *An Act to Amend the Highway Traffic Act* Stats. P.E.I. 2015, c. 7 Council ordered that a Proclamation do issue proclaiming the said "An Act to Amend the Highway Traffic Act" to come into force effective August 8, 2015.

EC2015-465

**HIGHWAY TRAFFIC ACT
ADMINISTRATIVE DRIVING PROHIBITION AND VEHICLE
IMPOUNDMENT REGULATIONS
AMENDMENT**

Pursuant to section 312 of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

1. Parts B.1 and B.2 of Form 3 in Schedule 4 to the *Highway Traffic Act* Administrative Driving Prohibition and Vehicle Impoundment Regulations (EC161/00) are revoked and the following substituted:

B.1 NOTICE OF 90-DAY DRIVING PROHIBITION (FOR DRIVER OTHER THAN A GRADUATED DRIVER OR DRIVER UNDER THE AGE OF 19 YEARS)

(Section 277.2 of the *Highway Traffic Act*)

This is official notification that you are prohibited from operating a motor vehicle for a period of 90 days fromunder the authority of section 277.2 of the *Highway Traffic Act*.

REASON:

The undersigned peace officer has reasonable grounds to believe that on or about you operated a motor vehicle or had care or control of a motor vehicle and

you did so having, as shown by an analysis of your breath or blood, consumed alcohol in such a quantity that the concentration of alcohol in your blood exceeded 80 milligrams of alcohol in 100 millilitres of blood (clause 277.2(1)(a) of the *Highway Traffic Act*);

you did so while your ability to operate the motor vehicle was impaired by a drug (clause 277.2(1)(b) of the *Highway Traffic Act*);

you did so while your ability to operate the motor vehicle was impaired by a combination of a drug and alcohol (clause 277.2(1)(b.1) of the *Highway Traffic Act*); or

you failed or refused, without a reasonable excuse, to comply with a demand made on you under section 254 of the *Criminal Code* (clause 277.2(1)(c) of the *Highway Traffic Act*).

..... Breath/blood alcohol content

TEMPORARY DRIVER'S LICENSE:

This notice serves as your temporary driver's license which is effective from and expires at the end of 7 days. This temporary driver's license is only valid on the expiry of the 24-hour roadside suspension under subsection 277.2(1.1) of the *Highway Traffic Act*.

B.2 NOTICE OF 90-DAY DRIVING PROHIBITION (FOR A GRADUATED DRIVER OR DRIVER UNDER THE AGE OF 19 YEARS)

(Section 277.2 and subsection 277.9(15) of the *Highway Traffic Act*)

This is official notification that you are prohibited from operating a motor vehicle for a period of 90 days from under the authority of section 277.2 and subsection 277.9(15) of the *Highway Traffic Act*.

REASON:

The undersigned peace officer has reasonable grounds to believe that on or about you, being a graduated driver or under the age of 19 years, operated a motor vehicle or had care or control of a motor vehicle and

you did so having, as shown by an analysis of your breath or blood, consumed alcohol in such a quantity that the concentration of alcohol in your blood exceeded zero milligrams of alcohol in 100 millilitres of blood (clause 277.8(1)(c) of the *Highway Traffic Act*);

you did so while your ability to operate the motor vehicle was impaired by a drug (clause 277.2(1)(b) of the *Highway Traffic Act*);

you did so while your ability to operate the motor vehicle was impaired by a combination of a drug and alcohol (clause 277.2(1)(b.1) of the *Highway Traffic Act*); or

you failed or refused, without a reasonable excuse, to comply with a demand made on you under section 254 of the *Criminal Code* or section 277.8 of the *Highway Traffic Act*.

..... Breath/blood alcohol content

TEMPORARY DRIVER'S LICENSE:

This notice serves as your temporary driver's license which is effective from and expires at the end of 7 days. This temporary driver's license is only valid on the expiry of the 24-hour roadside suspension under subsection 277.9(4) of the *Highway Traffic Act*.

2. These regulations come into force on August 8, 2015.**EXPLANATORY NOTES**

SECTION 1 revokes parts B.1 and B.2 of Form 3 in Schedule 4 to the regulations and substitutes new parts B.1 and B.2 that have been reworded to reflect amendments to the *Criminal Code* (Canada) and consequential changes to the *Highway Traffic Act*.

SECTION 2 provides for the commencement of the regulations.

EC2015-466

**HIGHWAY TRAFFIC ACT
DEMERIT POINT SYSTEM REGULATIONS
AMENDMENT**

Pursuant to section 284 of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

1. The Schedule to the *Highway Traffic Act* Demerit Point System Regulations (EC1216/80) is amended by the addition of the following after item 9:

9.1	Section 291.1(1) of the Highway Traffic Act	5	Driving a motor vehicle on a highway while holding or using a hand-held wireless communication device or other prescribed device that is capable of receiving or transmitting telephone communications, electronic data, email or text messages
-----	---	---	---

2. These regulations come into force August 8, 2015.

EXPLANATORY NOTES

SECTION 1 amends the Schedule to the regulations to specify the demerit points that result from a contravention of subsection 291.1(1) of the *Highway Traffic Act*.

SECTION 2 provides for the commencement of the regulations.

EC2015-467

**HIGHWAY TRAFFIC ACT
FEES REGULATIONS
AMENDMENT**

Pursuant to sections 31, 65 and 312 of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

1. Table 5 of section 9 to the *Highway Traffic Act* Fees Regulations (EC200/12) is amended by the deletion of the item relating to “Abstract of driver record” and the substitution of the following:

Basic abstract of driver record	25
Premium abstract of driver record	50

2. These regulations come into force August 8, 2015.

EXPLANATORY NOTES

SECTION 1 amends Table 5 of section 9 of the regulations to add a new category of “premium abstract of driver record” with a fee of \$50, to reflect recent amendments to the Act.

SECTION 2 provides for the commencement of the regulations.

EC2015-468

**HIGHWAY TRAFFIC ACT
GRADUATED DRIVER LICENSING REGULATIONS
AMENDMENT**

Pursuant to subsection 69(1) of the of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

1. Subsection 3(6) of the *Highway Traffic Act* Graduated Driver Licensing Regulations (EC225/07) is amended by the deletion of the words “section 92 or 92.1” and the substitution of the words “section 92, 92.1 or 291.1”.

2. Subsection 4(6) of the regulations is amended by the deletion of the words “section 92 or 92.1” and the substitution of the words “section 92, 92.1 or 291.1”.

3. These regulations come into force August 8, 2015.

EXPLANATORY NOTES

SECTION 1 amends subsection 3(6) of the regulations to add a contravention of section 291.1 of the Act as grounds for suspension of a newly licensed driver’s Stage 2 driver’s license for a period of one month in the case of a first offence and three months in the case of a second or subsequent offence. Section 291.1 prohibits the use of a hand-held wireless communication device or other prescribed device while driving.

SECTION 2 amends subsection 4(6) of the regulations to add a contravention of section 291.1 of the Act as grounds for suspension of a newly licensed driver's Stage 4 driver's license for a period of one month in the case of a first offence and three months in the case of a second or subsequent offence. Section 291.1 prohibits the use of a hand-held wireless communication device or other prescribed device while driving.

SECTION 3 provides for the commencement of the regulations.

EC2015-469

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
A.P.M. LANDMARK INC.
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 five-year term loan in the amount of seven hundred and fifty thousand dollars (\$750,000.00) to A.P.M. Landmark Inc. on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2015-470

JUDICATURE ACT
RULES OF COURT
NINETEENTH SERIES OF AMENDMENTS
TO THE
1996 CONSOLIDATION
AND
PUBLICATION MANNER
DETERMINED

Under authority of subsection 35(1) of the *Judicature Act*, R.S.P.E.I. 1988, Cap. J-2.1, Council approved the Nineteenth Series of Amendments to the 1996 Consolidated Version of the Rules of Court to come into force effective September 1, 2015, said amendments having been made by the Rules Committee at meetings held on November 24, 2014; April 20, 2015; and June 1, 2015.

Further, under authority of subsection 35(5) of the said Act, Council determined that publication of a Notice in the Royal Gazette shall be deemed to be publication of the approved Nineteenth Series of Amendments to the 1996 Consolidated Version of the Rules of Court and that no further publication relating to the said amendments shall be necessary.

EC2015-471

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
RANDY GERALD DRENTH AND MAVIS JUDD DRENTH
(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 Randy Gerald Drenth and Mavis Judd Drenth, both of Clifford, Ontario to acquire a land holding of approximately one hundred and twenty-six decimal eight four (126.84) acres of land at Springfield and Norboro, Lot 67, Queens County, Province of Prince Edward Island, being acquired from Powell Associates Ltd. of Saint John, 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.

EC2015-472

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
CNG ENTERPRISES 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 CNG Enterprises Ltd. of Brackley, Prince Edward Island to acquire a land holding of approximately seven decimal eight seven (7.87) acres of land at Brackley Beach, Lot 33, Queens County, Province of Prince Edward Island, being acquired from Daniel Dale Duplisea and Marquita Jane Duplisea, both of Kars, New Brunswick SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said CNG Enterprises Ltd. and on all successors in title.

EC2015-473

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GERRIT VISSER & SONS (1991) 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 Gerrit Visser & Sons (1991) Inc. of Orwell, Prince Edward Island to acquire a land holding of approximately zero decimal five (0.5) acres of land at Orwell, Lot 57, Queens County, Province of Prince Edward Island, being acquired from Doris Marcella Compton of Orwell, Prince Edward Island.

EC2015-474

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MORRIS HOLDINGS 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 Morris Holdings Ltd. of Charlottetown, Prince Edward Island to acquire a land holding of approximately fifteen decimal one five (15.15) acres of land at Stratford, Lot 49, Queens County, Province of Prince Edward Island, being acquired from Beinn Mara Limited of Stratford, Prince Edward Island.

EC2015-475

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
W.P. GRIFFIN INCORPORATED
(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 W.P. Griffin Incorporated of Elmsdale, Prince Edward Island to acquire a land holding of approximately zero decimal two one (0.21) acres of land at Elmsdale, Lot 4, Prince County, Province of Prince Edward Island, being acquired from Griffin Family Holdings Inc. of Elmsdale, Prince Edward Island.

EC2015-476

PAYDAY LOANS ACT
DECLARATION RE

Under authority of section 62 of the *Payday Loans Act* Stats. P.E.I. 2009, c. 83 Council ordered that a Proclamation do issue proclaiming the said "Payday Loans Act" to come into force effective September 1, 2015.

EC2015-477

PLANT HEALTH ACT
POTATOES REGULATIONS
AMENDMENT

Pursuant to section 6 of the *Plant Health Act* R.S.P.E.I. 1988, Cap. P-9.1, Council made the following regulations:

1. Clause 7(1.1)(a) of the *Plant Health Act* Potatoes Regulations (EC138/95) is amended by the deletion of the words "\$10.00" and the substitution of the words "\$30.00".

2. These regulations come into force on August 8, 2015.

EXPLANATORY NOTES

SECTION 1 amends clause 7(1.1)(a) of the regulations to increase the disinfection fee from \$10 to \$30. This amendment is required to give effect to an item in the Budget for the 2015-2016 fiscal year.

SECTION 2 provides for the commencement of these regulations.

EC2015-478

**PUBLIC HEALTH ACT
IMMUNIZATION REGULATIONS
AMENDMENT**

Pursuant to section 72 of the *Public Health Act* R.S.P.E.I. 1988, Cap. P-30.1, Council made the following regulations:

1. Subsection 3(2) of the *Public Health Act* Immunization Regulations (EC529/14) is amended by the deletion of the words “subsections 2(1) and (1.1)” and the substitution of the words “subsection (1)”.

2. These regulations come into force on August 8, 2015.

EXPLANATORY NOTES

SECTION 1 corrects subsection 3(2) of the regulations by deleting an incorrect cross-reference to subsections 2(1) and (1.1) and substituting the correct reference to subsection (1).

SECTION 2 provides for the commencement of the regulations.

EC2015-479

**SUMMARY PROCEEDINGS ACT
TICKET REGULATIONS
AMENDMENT**

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

1. Part 30 of Schedule 2 to the *Summary Proceedings Act* Ticket Regulations (EC58/08) is amended by the revocation of item 338 and the substitution of the following:

338 Driver driving while holding or using hand-held communication device capable of receiving or transmitting phone calls, electronic data, email or text messages.....	291.1(1)	500
---	----------	-----

2. These regulations come into force on August 8, 2015.

EXPLANATORY NOTES

SECTION 1 amends Part 30 of Schedule 2 to the Ticket Regulations by revoking item 338 and substituting a new item 338 that increases the minimum fine for the specified offence.

SECTION 2 provides for the commencement of the regulations.

EC2015-480

**SUMMARY PROCEEDINGS ACT
TICKET REGULATIONS
AMENDMENT**

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

1. Schedule 2 to the *Summary Proceedings Act* Ticket Regulations (EC58/08) is amended by the addition of the following after Part 29:

PART 29.1

**HIGHWAY SIGNAGE ACT
Regulations
(EC298/03)**

1 Erecting, displaying, maintaining or placing, within view of highway, sign resembling traffic control device	3	\$500 (1st offence) 1,000 (2nd or subsequent offence)
2 Erecting, displaying, maintaining or placing off-premises sign within view of highway	3.1(1)	\$500 (1st offence) 1,000 (2nd or subsequent offence)
3 Failing to ensure election sign removed within seven days after election	3.1(2)	\$500 (1st offence) 1,000 (2nd or subsequent offence)
4 Failing to ensure yard sale sign removed within two days after yard sale	3.1(3)	\$500 (1st offence) 1,000 (2nd or subsequent offence)
5 Erecting, displaying, maintaining or placing on-premises sign within view of highway without registration permit	3.2	\$500 (1st offence) 1,000 (2nd or subsequent offence)
6 Permit holder failing to ensure permitted sign meets any conditions attached to permit	3.3(a)	\$500 (1st offence) 1,000 (2nd or subsequent offence)
7 Permit holder failing to ensure permitted sign erected, displayed, maintained or placed in accordance with any conditions attached to permit	3.3(b)	\$500 (1st offence) 1,000 (2nd or subsequent offence)
8 Erecting, displaying, maintaining or placing, within view of highway, sandwich board sign that exceeds 1.5 sq. metres (16.15 sq. ft.) in area	3.4(a)	\$500 (1st offence) 1,000 (2nd or subsequent offence)
9 Erecting, displaying, maintaining or placing, within view of highway, more than two sandwich board signs on single property	3.4(b)	\$500 (1st offence) 1,000 (2nd or subsequent offence)
10 Erecting, displaying, maintaining or placing, within view of highway, free-standing sign that exceeds 8 metres (26.25 ft.) in height above the main grade of the ground in which it is placed	3.5(1)(a)	\$500 (1st offence) 1,000 (2nd or subsequent offence)
11 Erecting, displaying, maintaining or placing, within view of highway, free-standing sign that has a surface area, excluding supports, exceeding the maximum prescribed size	3.5(1)(b)	\$500 (1st offence) 1,000 (2nd or subsequent offence)
12 Erecting, displaying, maintaining or placing, within view of highway, canopy sign that exceeds twenty-five per cent of the surface area of the canopy	3.5(2)(a)	\$500 (1st offence) 1,000 (2nd or subsequent offence)
13 Erecting, displaying, maintaining or placing, within view of highway, canopy sign that exceeds the surface area, excluding supports, of any free-standing sign located on same property	3.5(2)(b)	\$500 (1st offence) 1,000 (2nd or subsequent offence)
14 Erecting, displaying, maintaining or placing, within view of highway, fascia sign that exceeds ten per cent of the surface area of the surface area of the wall to which the sign is attached or applied	3.6(1)	\$500 (1st offence) 1,000 (2nd or subsequent offence)
15 Attaching or applying to a single wall, within view of highway, more than one fascia sign	3.6(2)	\$500 (1st offence) 1,000 (2nd or subsequent offence)
16 Attaching or applying to roof of building, within view of highway, sign that exceeds ten per cent of surface area of roof	3.7	\$500 (1st offence) 1,000 (2nd or subsequent offence)
17 Within view of highway, attaching or applying sign to, or supporting sign with, utility pole or tree	3.8(1)	\$500 (1st offence) 1,000 (2nd or subsequent offence)
18 Erecting, displaying, maintaining or placing sign within public right-of-way	3.8(2)(a)	\$500 (1st offence) 1,000 (2nd or subsequent offence)
19 Erecting, displaying, maintaining or placing sign where it impedes sight lines of persons travelling on highway	3.8(2)(b)	\$500 (1st offence) 1,000 (2nd or subsequent offence)

20	Erecting, displaying, maintaining or placing sign in green area, located within traffic intersection or at entrance to driveway	3.8(2)(c)	\$500 (1st offence) 1,000 (2nd or subsequent offence)
21	Erecting, displaying, maintaining or placing sign where it encroaches on sidewalk or other pedestrian path	3.8(2)(d)	\$500 (1st offence) 1,000 (2nd or subsequent offence)
22	Person given registration number or sticker failing to have registration number printed on, or registration sticker attached to, the sign to which it applies	4(5)	\$500 (1st offence) 1,000 (2nd or subsequent offence)
23	Person who held permit failing to remove or cause removal of permitted sign within three days of expiry or revocation of permit	9	\$500 (1st offence) 1,000 (2nd or subsequent offence)

2. These regulations come into force on August 8, 2015.

EXPLANATORY NOTES

SECTION 1 sets out the ticket fines for offences under the *Highway Signage Act* Regulations.

SECTION 2 provides for the commencement of these regulations.