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Charlottetown, Prince Edward Island, January 28, 2006

**CANADA
PROVINCE OF PRINCE EDWARD ISLAND
IN THE SUPREME COURT - ESTATES DIVISION**

TAKE NOTICE that all persons indebted to the following estates must make payment to the personal representative of the estates noted below, and that all persons having any demands upon the following estates must present such demands to the representative within six months of the date of the advertisement:

Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
ARSENAULT, Louis Joachim Miscouche Prince Co., PE January 28th, 2006 (04-17)*	David Arsenault Elsie Grant (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
BREEDON, Virginia Georgetown Royalty Kings Co., PE January 28th, 2006 (04-17)*	M. Jeannette Scully Donald P. Large (EX.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
DOYLE, Edwina Mary Charlottetown Queens Co., PE January 28th, 2006 (04-17)*	Leonard Doyle (EX.)	Foster Hennessey MacKenzie PO Box 38 Charlottetown, PE
FORTUNE, William Joseph Eldon, Belfast PO Queens Co., PE January 28th, 2006 (04-17)*	David John Fortune Stephen William Fortune (EX.)	Reagh & Reagh 17 West Street Charlottetown, PE
MacLEOD, Norman Erskine Summerside Prince Co., PE January 28th, 2006 (04-17)*	Joyce Ferrish (EX.)	David R. Hammond, QC 740A Water Street East Summerside, PE
OGG, Muriel Elaine Charlottetown Queens Co., PE	Christopher Ian Ogg Neil Graham Ogg (EX.)	T. Daniel Tweel PO Box 3160 Charlottetown, PE

**Indicates date of first publication in the Royal Gazette.*

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January 28th, 2006 (04-17)*		
THOMSON, Glenelda Beryl Clinton Queens Co., PE January 28th, 2006 (04-17)*	Carol Rayner Linda Smith June Pare (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
DORRIAN, Myra Telford McGowan Borden-Carleton Prince Co., PE January 28th, 2006 (04-17)*	Michael Kowalski (AD.)	Key McKnight & Maynard PO Box 1570 Summerside, PE
CROZIER, Hartwell Keir Baltic Prince Co., PE January 21st, 2006 (03-16)	Philip Crozier (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
DONAHUE, Mercedes Cornwall Queens Co., PE January 21st, 2006 (03-16)	Brenda Donahue (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
FORD, Lloyd Bernard Summerside Prince Co., PE January 21st, 2006 (03-16)	Judy Arsenault (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
INCE, Edith Viola Charlottetown Queens Co., PE January 21st, 2006 (03-16)	Leith Ford (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MacAULAY, Stirling Vincent Cardigan Kings Co., PE January 21st, 2006 (03-16)	Inez Greenwood (EX.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
MORRISSEY, Colman Alberton Prince Co., PE January 21st, 2006 (03-16)	Coleman A. Morrissey (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE

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NICHOLSON, Everett H. Charlottetown Queens Co., PE January 21st, 2006 (03-16)	Eldred B. Nicholson Gordon Nicholson (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
SHERRY, Ralph O'Leary Hamilton Prince Co., PE January 21st, 2006 (03-16)	Clara Sherry (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
MILLER, Lois Saint Lambert Quebec January 21st, 2006 (03-16)	Clifford Stewart (AD.)	Catherine M. Parkman Law Office PO Box 1056 Charlottetown, PE
WILLIS, William Milton Kitchener Ontario January 21st, 2006 (03-16)	E. Susan Willis (AD.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
CASELEY, Errol Chris Kelvin Grove Prince Co., PE January 14th, 2006 (02-15)	Heather Caseley George M. Caseley (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
MacKINLEY, Adelia (also known as M. Adelia McKinley) Sandy Point Shelburne Co., NS January 14th, 2006 (02-15)	Margo Murley (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
MacLEOD, Lorine Margaret Charlottetown Queens Co., PE January 14th, 2006 (02-15)	Samuel MacLeod (EX.)	Cox Hanson O'Reilly Matheson PO Box 875 Charlottetown, PE
MATTHEWS, Norman Kenneth Montrose Prince Co., PE January 14th, 2006 (02-15)	Linda Martin (EX.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE

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O'MEARA, Leo Raymond Alberton Prince Co., PE January 14th, 2006 (02-15)	Leonard O'Meara (EX.)	Key McKnight & Maynard PO Box 177 O'Leary, PE
WALKER, Joseph Pius Launching Kings Co., PE January 14th, 2006 (02-15)	John T. MacIntyre Felix Walker (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
GIROUX, Ginelle St-Nicolas Quebec January 14th, 2006 (02-15)	Stephanie LaLonde (AD.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
MacLEOD, Daniel Vernon Heath Albany Prince Co., PE January 14th, 2006 (02-15)	Alastair MacLeod Ferne MacLeod (AD.)	Catherine M. Parkman Law Office PO Box 1056 Charlottetown, PE
TAKIMOTO, Kimiko (Kimi) Charlottetown Queens Co., PE January 14th, 2006 (02-15)	Frances (Takimoto) Yoshida Sachiko (Takimoto) Oue (AD.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
KEY, George Alexander North Granville Queens Co., PE January 7th, 2006 (01-14)	Derek D. Key Deborah J. Brown (EX.)	Key McKnight & Maynard PO Box 1570 Summerside, PE
YEO, Charles Horace Summerside Prince Co., PE January 7th, 2006 (01-14)	Ralph Milton Yeo Arnold Bruce Yeo (EX.)	Key McKnight & Maynard PO Box 1570 Summerside, PE
BLANCHARD, Yvonne M. Charlottetown Queens Co., PE December 31st, 2005 (53-13)	The Canada Trust Company (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
DILLON, James Richmond	Lydia Dillon (EX.)	Campbell Lea PO Box 429

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New York, USA December 31st, 2005 (53-13) DODDRIDGE, Robert (Bob) Frederick Charlottetown Queens Co., PE December 31st, 2005 (53-13)	Allan Ford (EX.)	Charlottetown, PE E. W. Scott Dickieson PO Box 1453 Charlottetown, PE
HEAD, Doreen Elizabeth Toronto Ontario December 31st, 2005 (53-13)	Jennifer Duchesne Willard Thurston (EX.)	Foster Hennessey MacKenzie PO Box 38 Charlottetown, PE
HILTON, Violet Alberton Prince Co., PE December 31st, 2005 (53-13)	Linda Elaine Blanchard Gloria Rose "Diane" Reid (EX.)	Key McKnight & Maynard PO Box 177 O'Leary, PE
HOLLAND, Anna G. East Point Kings Co., PE December 31st, 2005 (53-13)	Gladys Holland (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
LIVINGSTONE, Donald Hopefield Kings Co., PE December 31st, 2005 (53-13)	Dawn "Lynn" Livingston (EX.)	Catherine M. Parkman Law Office PO Box 1056 Charlottetown, PE
MacFARLANE, Horace Richard Summerside Prince Co., PE December 31st, 2005 (53-13)	Richard Garth MacFarlane Janet Elizabeth MacFarlane (EX.)	Key McKnight & Maynard PO Box 1570 Summerside, PE
O'NEILL, John Newsom Charlottetown Queens Co., PE December 31st, 2005 (53-13)	Philip Gordon O'Neill (EX.)	Reagh & Reagh 17 West Street Charlottetown, PE
SHEA, Reverend Howard J. Tignish Prince Co., PE December 31st, 2005 (53-13)	Leonard Shea (EX.)	Patterson Palmer PO Box 429 Charlottetown, PE
STEWART, Charles Everett Crapaud	Rodney Hickey Beverly McCormick (EX.)	Ramsay & Clark PO Box 96

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Queens Co., PE December 31st, 2005 (53-13)		Summerside, PE
WEDGE, Julien Joseph (also known as Joseph Julien Wedge; Julien Wedge and Julien J. Wedge) Victoria, BC December 31st, 2005 (53-13)	Royal Trust Corporation of Canada (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
ACORN, Frederick Merrill Murray River Kings Co., PE December 31st, 2005 (53-13)	Donald Johnston (AD.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
CONNOLLY, Agnes Gertrude Charlottetown (Formerly of Iona) Queens Co., PE December 31st, 2005 (53-13)	Joyce M. C. Oulton Donna K. MacLauchlan (AD.)	Patterson Plamer PO Box 486 Charlottetown, PE
CONNOLLY, John Francis Montague Kings Co., PE December 31st, 2005 (53-13)	Joyce M. C. Oulton Donna K. MacLauchlan (AD.)	Patterson Palmer PO Box 486 Charlottetown, PE
DOUCETTE, Winnifred St. Louis Prince Co., PE December 31st, 2005 (53-13)	Wanda Doucette (AD.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
ROBERTS, Robert Orville Pleasant Grove Queens Co., PE December 31st, 2005 (53-13)	Hugh Genge (AD.)	Paul J. D. Mullin, QC 14 Great George Street Charlottetown, PE
BERTRAM, Waldon A. Hazel Grove Queens Co., PE December 24th, 2005 (52-12)	E. Irene Bertram (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
DOUCETTE, Ronald (Ron) Eugene Cornwall Queens Co., PE December 24th, 2005 (52-12)	Sarah Frances (Fran) M. Doucette (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE

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MacDOUGALL, Neil F. Argyle Shore Queens Co., PE December 24th, 2005 (52-12)	Roma N. MacDougall Fraser MacDougall (EX.)	The Law Office of Kathleen Loo Craig PO Box 11 Summerside, PE
TREMBLAY, Ann G. Charlottetown Queens Co., PE December 24th, 2005 (52-12)	Roger Tremblay (EX.)	T. Daniel Tweel PO Box 3160 Charlottetown, PE
GETSON, James Erskine Kildare Capes Prince Co., PE December 24th, 2005 (52-12)	Isabel Mae Getson (AD.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
BUCHANAN, Angus Preston Mount Buchanan Queens Co., PE December 17th, 2005 (51-11)	Sandra MacPhail (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
DUNN, Shirley Marie Charlottetown Queens Co., PE December 17th, 2005 (51-11)	John R. Dunn (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE
MOSSEY, Kenneth Hamilton Ontario December 17th, 2005 (51-11)	Caroline (Carolyn) Matilda Mossey (EX.)	Allen J. MacPhee Law Corporation PO Box 40 Alberton, PE
PETERS, Norbert North Rustico Queens Co., PE December 17th, 2005 (51-11)	Millie Doucette Geraldine Doucette (EX.)	E. W. Scott Dickieson PO Box 1453 Charlottetown, PE
READY, Catherine Elaine Charlottetown Queens Co., PE December 17th, 2005 (51-11)	Thomas Hum (EX.)	Birt & McNeill 138 St. Peters Road Charlottetown, PE

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STEAD, Evelyn Mae Stratford Queens Co., PE December 17th, 2005 (51-11)	Donald C. Nichol (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
STEVENSON, Priscilla R. Winsloe Queens Co., PE December 17th, 2005 (51-11)	Byron R. Stevenson (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
GAUDET, Albina Summerside Prince Co., PE December 17th, 2005 (51-11)	Teresa Arsenault (AD.)	Key McKnight & Maynard PO Box 1570 Summerside, PE
WILSON, Leo Bernard Hermitage Queens Co., PE December 17th, 2005 (51-11)	John Andrew Wilson Robert Justin Wilson (AD.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
ANDREW, William Benjamin Summerside Prince Co., PE December 10th, 2005 (50-10)	James Bennett Andrew Diane Karen Conrad (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
JELKS, Frank W. Charlottetown Queens Co., PE December 10th, 2005 (50-10)	Michael Roy Jelks Janet Hurry (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
MacRAE, Blair A. Montague Kings Co., PE December 10th, 2005 (50-10)	Donald MacRae Kirk MacRae (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
POIRIER, Mary Doris Josephine Miscouche Prince Co., PE December 10th, 2005 (50-10)	Joseph Melvin Poirier (EX.)	Key McKnight & Maynard PO Box 1570 Summerside, PE

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TURNER, Lona I. Charlottetown Queens Co., PE December 10th, 2005 (50-10)	Orville R. Turner (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
CROCKETT, William L. York Queens Co., PE December 10th, 2005 (50-10)	Lenore A. Andrew (AD.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
ANDERSON, Mary Theresa Farmington Kings Co., PE December 3rd, 2005 (49-09)	Frederick Paul Anderson William Anderson (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
COUGHLIN, Mary Helena Charlottetown Queens Co., PE December 3rd, 2005 (49-09)	Kathleen Kearney (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
GILLIS, Bessie Lorne Point Pleasant Kings Co., PE December 3rd, 2005 (49-09)	Margaret Murphy Verna Osborne (EX.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
HAGGERTY, Theresa M. Montague Kings Co., PE December 3rd, 2005 (49-09)	Rita Donahoe Richard H. Campbell (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
MacDONALD, J. J. O'Leary Little Pond Kings Co., PE December 3rd, 2005 (49-09)	Arthur J. MacDonald (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
MacMILLAN, Marion I. Charlottetown Queens Co., PE December 3rd, 2005 (49-09)	Wayne Gillis (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE

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MILLER, James Meadowbank Queens Co., PE December 3rd, 2005 (49-09)	Wendell Feener (EX.)	Foster Hennessey MacKenzie PO Box 38 Charlottetown, PE
PERRY, Charles A. Alberton Prince Co., PE December 3rd, 2005 (49-09)	Mary Graham (EX.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
ACORN, John Dan Mount Vernon Queens Co., PE November 26th, 2005 (48-08)	Lauretta May Acorn (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
HAWKINS, Edna Mary Stratford Queens Co., PE November 26th, 2005 (48-08)	Anne MacLeod (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE
HEMPHILL, Esther Nellie Whitby Ontario November 26th, 2005 (48-08)	Lorne John Hemphill (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
JAY, Ethel May Summerside Prince Co., PE November 26th, 2005 (48-08)	Roland Blair Jay (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
STURMEY, Anne Noreen Charlottetown Queens Co., PE November 19th, 2005 (47-07)	Jean Irene Doyle (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
WILLIAMS, Constance M. Charlottetown Queens Co., PE November 19th, 2005 (47-07)	Janet Dawson-Brock (EX.)	Cox Hanson O'Reilly Matheson PO Box 875 Charlottetown, PE

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DOYLE, Allan McCormac Charlottetown Queens Co., PE November 19th, 2005 (47-07)	Jean Irene Doyle (AD.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
MAEDER, Alice McKenna Hyattsville District of Columbia, USA November 19th, 2005 (47-07)	David Russell Percy (AD.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
RAYNER, Douglas Grand Tracadie Queens Co., PE November 19th, 2005 (47-07)	Lloyd Rayner (AD.)	Regena Kaye Russell Law Corp. PO Box 383 O'Leary, PE
ADAMS, Louis J. Seaview Prince Co., PE November 12th, 2005 (46-06)	Brian Adams (EX.)	McLellan Brennan PO Box 35 Summerside, PE
CLAY, Henry Jones Greenwich Connecticut, USA November 12th, 2005 (46-06)	Marcia Clay Hamilton (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
MacLEAN, Florence Dianne Quispamsis New Brunswick November 12th, 2005 (46-06)	Lorna MacLean-Quinn William Roy (Billy) MacLean (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
MATTHEWS, Thelma Summerside Prince Co., PE November 12th, 2005 (46-06)	Diane Carol Irving George Elmer MacCaull (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
SHELFOON, Helen Catherine Charlottetown Queens Co., PE November 12th, 2005 (46-06)	V. Allan (Bud) MacDonald Robin McGuigan (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE

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YEARWOOD, Felix Ronald Stratford Queens Co., PE November 12th, 2005 (46-06)	E. Graham Yearwood (EX.)	Catherine M. Parkman Law Office PO Box 1056 Charlottetown, PE
LAYBOLT, Jason Alfred Morell Kings Co., PE November 12th, 2005 (46-06)	George Alfred Laybolt (AD.)	Foster Hennessey MacKenzie PO Box 38 Charlottetown, PE
MAEDER, Harold Cecil Reed Washington District of Columbia, USA November 12th, 2005 (46-06)	David Russell Percy (AD.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
VILLETT, Gordon Hampton Queens Co., PE November 5th, 2005 (45-05)	George H. Villett (AD.)	Cox Hanson O'Reilly Matheson PO Box 875 Charlottetown, PE
AHEARN, Mary Agatha Mississauga Ontario October 29th, 2005 (44-04)	Brian Ahearn Bob Ahearn (EX.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
GAMBLE, Helen Gertrude Summerside Prince Co., PE October 29th, 2005 (44-04)	David Wedge (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
KENT, Alan Gordon Victoria Queens Co., PE October 29th, 2005 (44-04)	Janice Marie Beaveridge (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
MacDONALD, Margaret Isabel Montague Kings Co., PE October 29th, 2005 (44-04)	Orville Chester MacDonald (EX.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE

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O'BRIEN, Horace Leonard Dock Road Prince Co., PE October 29th, 2005 (44-04)	Hilda O'Brien (EX.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
RAMSAY, Lloyd Albany Prince Co., PE October 29th, 2005 (44-04)	Marion Ramsay (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
RAMSAY, Marjorie Irene Kensington Prince Co., PE October 29th, 2005 (44-04)	Cleveland Baker Glendon L. Crozier (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
ADAMS, Charles William (Jr.) Elmsdale Prince Co., PE October 29th, 2005 (44-04)	Dorothy Ann Ashley (AD.)	Regena Kaye Russell Law Corp. PO Box 383 O'Leary, PE
DOUGHERTY, Margaret Elizabeth Eldon (Formerly of Belle River) Queens Co., PE October 29th, 2005 (44-04)	Michael Dougherty (AD.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
ROGERS, Leonard E. Linkletter RR#2 Summerside Prince Co., PE October 29th, 2005 (44-04)	Earl Rogers (AD.)	Ramsay & Clark PO Box 96 Summerside, PE
COLES, James Gordon Charlottetown Queens Co., PE October 22nd, 2005 (43-03)	Thelma Elaine Morrison Marlene Ferne Proude (EX.)	Catherine M. Parkman Law Office PO Box 1056 Charlottetown, PE
MacMILLAN, Sybil Charlottetown Queens Co., PE October 22nd, 2005 (43-03)	Heather MacMillan (EX.)	Heather MacMillan 3 Yorkshire Drive Charlottetown, PE

PB06-1

Order: PB06-1
Effective: 18 January, 2006

**PRINCE EDWARD ISLAND
POTATO BOARD**

UNDER the *Natural Products Marketing Act*, R.S.P.E.I. 1988, Cap. N-3, the Prince Edward Island Potato Marketing Plan Regulations, and the *Agricultural Products Marketing Act* (Canada), the Prince Edward Island Potato Board makes the following order:

Levies Order

- Application 1. This order provides for the fixing, imposing and collecting of levies from potato dealers, exporters, processors and producers in Prince Edward Island.
- Definition 2. In this order
- (a) "Act" means the *Natural Products Marketing Act* R.S.P.E.I. 1988, Cap. N-3;
 - (b) "Board" means the Prince Edward Island Potato Board established pursuant to the Act;
 - (c) "Dealer" means a person who, on his own behalf or as an agent for or on behalf of any other person, is engaged in the marketing of potatoes in Canada and the United States, including Puerto Rico;
 - (d) "Exporter" means a person who, on his own behalf or as an agent for or on behalf of any other person, is engaged in the marketing of potatoes outside of continental North America including Puerto Rico;
 - (e) "Person" includes individual, cooperative, partnership, or corporation;
 - (f) "Plan" means any plan for the marketing of potatoes established and amended from time to time pursuant to the Act;
 - (g) "Potatoes" means potatoes produced in Prince Edward Island;
 - (h) "Processor" means a person who, on his own behalf or as an agent for or on behalf of any other person, is engaged in the processing of potatoes; and
 - (i) "Producer" means a person engaged in the production of potatoes for his own account.
- Levy structure 3. (1) Every person engaged in the processing of potatoes in Prince Edward Island shall pay to the Potato Board, in addition to the license fees set out under the Plan, levies at the rate of seven (\$0.07) cents per cwt on all potatoes used by him for processing purposes in the Province of Prince Edward Island. If such person, having purchased potatoes produced in Prince Edward Island, processes such potatoes outside of Prince Edward Island in a plant or plants owned or controlled by such person, he shall pay to the Potato Board, in addition to the license fees set out under the plan, levies at the rate of seven (\$0.07) cents per cwt on all Prince Edward Island potatoes used by him for processing purposes outside the Province of Prince Edward Island,

provided such person has entered into an agreement with the Potato Board which enables the Potato Board to verify the processing of such potatoes, which agreement shall be in the form approved by the Potato Board.

- (2.) Every dealer, exporter and producer shall pay to the Board, in addition to the license fees set out under the Plan, levies in the amount of eight (\$0.08) cents per hundredweight on all potatoes sold or shipped by him except where such potatoes are sold to a processor to whom subsection (1) applies, and until such levies are paid to the Board, every dealer, exporter and producer shall hold the sums representing his liability pursuant to such levies in trust for the Board.
- (3.) For potatoes planted in the year 2005 only, the levies payable pursuant to subsection 3(1) shall be fourteen (\$0.14) cents per hundredweight, and the levies payable pursuant to subsection 3(2) shall be sixteen (\$0.16) cents per hundredweight.
- Collection and remittance of levy 4. (1) Each person engaged in the processing of potatoes in Prince Edward Island shall, on or before the fifteenth day of each month
- (a) render to the Board a true and correct statement relating to all potatoes purchased by him during the previous month giving the name and address of the grower and the quantity purchased, together with such further information as the Board may from time to time require; and
- (b) remit to the Board the levies imposed on him pursuant to subsection 3(1).
- (2) Every dealer, exporter and producer shall, on or before the fifteenth day of each month
- (a) render to the Board a true and correct statement relating to all potatoes shipped by him during the previous month giving the following information:
- (i) quantities, varieties and pack of the potatoes; and
- (ii) such further information as the Board may from time to time require; and
- (b) remit to the Board the levies imposed on him pursuant to subsection 3(2).
- (3) The Board shall issue invoices for levies imposed pursuant to subsection 3(2) no later than July 31st of each year to each producer who has sold seed potatoes to producers in Prince Edward Island, based on the volume of such seed from the previous crop year moved by such producer as determined by information provided to the Board by the Canadian Food Inspection Agency with the consent of such producer.
- (4) If by February 28th of each year, a producer fails to consent, or withdraws any previous consent, to the release of information to the Board by the Canadian Food Inspection Agency with respect to the movement of seed potatoes in Prince Edward Island, the Board shall collect the levy on the sale of such seed potatoes sold by such producer in Prince Edward Island on the basis of \$ 16 per acre for each acre of seed potatoes receiving seed certification status by the Canadian Food Inspection Agency in the previous calendar year, and shall invoice such producer on that basis by no later than April 15th of each year.
- (4.1) For potatoes planted in the year 2005 only, the per acre assessment referred to in subsection 4(4) shall be \$ 32 per acre.

5. This order shall apply to dealers, exporters, processors and producers.
6. Board Order PB04-1 is hereby revoked.
- Commencement 7. This order comes into force on the 18th day of January, 2006.
- DATED at Charlottetown, Prince Edward Island this 18th day of January, 2006.
- MORLEY WOOD
Chairman
- BARRY GALLANT
Secretary

04

MC05-02**PRINCE EDWARD ISLAND
MARKETING COUNCIL**

ORDER NO: MC05-02
EFFECTIVE: February 1, 2006

Under section 2.(7) of the *Natural Products Marketing Act*, R.S.P.E.I. 1988, Cap N-3, the Prince Edward Island Marketing Council makes the following Order:

CLASS 1 MILK PRICE DETERMINATION ORDER

- Application 1. This Order provides for the establishment of:
- (a) the price of milk components paid to the Dairy Farmers of Prince Edward Island for components sold as Class 1 products, and
 - (b) the establishment of the minimum wholesale and minimum home delivery prices for Class 1 milk products.
- Classifications 2. The milk classifications that apply in sections 3, 4, 5, 6, and 7 of this Order shall be established by the Dairy Farmers of Prince Edward Island, by Order of the Classification of Milk Order No. DFPEI2005-02.
- Class 1(a)
component prices 3. The price of milk components paid to the Dairy Farmers of Prince Edward Island by processors for components sold in Class 1(a) products shall be \$7.3661 per kilogram of butterfat, \$6.0732 per kilogram of protein and \$6.0732 per kilogram of other solids. The Dairy Farmers of Prince Edward Island shall use a standard component test value of 3.3332 kilograms per hectolitre for protein and 5.7822 kilograms per hectolitre of other solids for billing purposes.
- Class 1(b)
component prices 4. The price of milk components paid to the Dairy Farmers of Prince Edward Island by processors for components sold in Class 1(b) products shall be \$7.3661 per kilogram of butterfat, \$5.8487 per kilogram of protein and \$5.8487 per kilogram of other solids. The Dairy Farmers of Prince Edward Island shall use a standard component test value of 2.7736 kilograms per hectolitre for protein and 4.8195 kilograms per hectolitre of other solids for billing purposes.

Class 1 (b)(ii)
component prices 5. The price of milk components paid to the Dairy Farmers of Prince Edward Island by processors for components sold in Class 1(b)(ii) products shall be the prices for those components established by the Canadian Dairy Commission. The Dairy Farmers of Prince Edward Island shall use a standard component test value approved by Marketing Council for billing purposes.

Class 1(c)
component prices 6. The price of milk components paid to the Dairy Farmers of Prince Edward Island by processors for components sold in Class 1(c) products shall be 15% less than the prices of similar milk components used by processors for products sold in Class 1(a) and Class 1(b) products where Dairy Farmers of Prince Edward Island has approved Class 1(c) products during an introductory period. The Dairy Farmers of Prince Edward Island shall use a standard component test value approved by Marketing Council for billing purposes.

Class 1(d)
component prices 7. The price of milk components paid to the Dairy Farmers of Prince Edward Island by processors for components sold in Class 1(d) products shall be the prices for those components established by the Canadian Dairy Commission. The Dairy Farmers of Prince Edward Island shall use a standard component test value approved by Marketing Council for billing purposes.

Minimum wholesale
and minimum home
delivery prices 8. The minimum wholesale and minimum home delivery prices for Class 1 milk products shall be as follows:

	WHOLESALE	HOME DELIVERY
STANDARD MILK		
Per 1 litre pouch	1.44	1.54
Per 1 1/3 litre pouch	1.92	2.06
Per 4 litre container	5.85	6.26
Per 2 litre container	2.93	3.16
Per 1 litre container	1.47	1.57
Per 500 ml container	.81	.92
Per 250 ml container	.48	.51
Per 160 x 10 ml milkers	5.59	
PARTLY SKIMMED MILK 2%		
Per 1 litre pouch	1.44	1.54
Per 1 1/3 litre pouch	1.92	2.06

Per 4 litre container	5.85	6.26
Per 2 litre container	2.93	3.16
Per 1 litre container	1.47	1.57
Per 500 ml container	.81	.92
Per 250 ml container	.48	.51
PARTLY SKIMMED MILK 1%		
Per 1 litre pouch	1.44	1.54
Per 1 1/3 litre pouch	1.92	2.06
Per 4 litre container	5.85	6.26
Per 2 litre container	2.93	3.16
Per 1 litre container	1.47	1.57
Per 500 ml container	.81	.92
Per 250 ml container	.48	.51
SKIM MILK		
Per 1 litre pouch	1.44	1.54
Per 1 1/3 litre pouch	1.92	2.06
Per 4 litre container	5.85	6.26
Per 2 litre container	2.93	3.16
Per 1 litre container	1.47	1.57
Per 500 ml container	.81	.92
Per 250 ml container	.48	.51
CHOCOLATE PARTLY SKIMMED MILK		
Per 4 litre container	6.37	6.78
Per 1 1/3 litre pouch	2.10	2.24
Per 1 litre container	1.60	1.70
Per 2 litre container	3.19	3.41
Per 500 ml container	.89	.95
Per 250 ml container	.53	.56

BLEND CREAM		
Per 1 litre container	2.21	2.34
Per 500 ml container	1.16	1.26
Per 100 x 15 ml creamers	5.07	
Per 160 x 10 ml creamers	5.75	
TABLE CREAM		
Per 1 litre container	2.63	2.79
Per 500 ml container	1.54	1.67
Per 250 ml container	.91	1.00
Per 100 x 15 ml creamers	6.02	
Per 160 x 10 ml creamers	6.83	
WHIPPING CREAM		
Per 1 litre container	3.06	3.35
Per 250 ml container	1.02	1.11
WHEN DISPENSER PROPERTY OF		
DISPENSER PER LITRE	PURCHASER	DISTRIBUTOR
Standard milk	1.46	1.48
Partly skimmed milk 2%	1.46	1.48
Partly skimmed milk 1%	1.46	1.48
Skim milk	1.46	1.48
Chocolate partly skimmed milk	1.62	1.64
Blend cream	2.23	2.25

Revocation 9. Order MC04-02 dated December 22, 2004 is hereby revoked.

Effective date 10. This Order comes into force on the 1st day of February 2006.

Dated at Charlottetown, Prince Edward Island, this 20th day of December, 2005.

<< Original signed by >>
Allison Ellis, Chair

<< Original signed by >>
Murray Myles, Secretary

**PRINCE EDWARD ISLAND
HOG COMMODITY MARKETING BOARD**

**BOARD ORDER: HCMB05-01
EFFECTIVE: 01 February 2006**

Pursuant to and under the authority of the Prince Edward Island *Natural Products Marketing Act* R.S.P.E.I. 1988, Cap. N-3 and the Prince Edward Island Hog Commodity Marketing Plan and the *Agricultural Products Marketing Act* R.S.C. 1985, Chap. A-6 and regulations made thereunder, the Prince Edward Island Hog Commodity Marketing Board makes the following order:

LICENSING ORDER

Application

1. This order applies to the licensing of producers, buyers, dealers, assemblers, transporters and processors of hogs produced and marketed in the Province of Prince Edward Island and for hogs produced in Prince Edward Island that are marketed in interprovincial and export trade.

Interpretation

2. The meaning of words herein shall be as defined herein or if not defined herein then as in the Prince Edward Island Hog Commodity Marketing Plan, or the *Natural Products Marketing Act* R.S.P.E.I. 1988, Cap. N-3.

Definitions

3. In this order
 - (a) "assemble" is to bring hogs together in one facility, that is designed and maintained for that purpose;
 - (b) "buyer or dealer" is a person who purchases hogs from a producer for resale;
 - (c) "Plan" means the *Natural Products Marketing Act* Hog Commodity Marketing Regulations;
 - (d) "processor" means a person who slaughters hogs;
 - (e) "producer" means a resident of Prince Edward Island who is engaged in the production, or feeding of hogs;
 - (f) "R.O.P. hogs" means record of performance hogs which are sold for breeding purposes;
 - (g) "transporter" means a person who assembles and/or hauls hogs in any manner, but does not include:
 - (i) a producer who hauls in a vehicle owned or rented by him, and driven by him or an on-farm employee, only the hogs produced by him;
 - (ii) a person who is employed by and driving a vehicle owned by the holder of a license as a transporter of hogs;
 - (iii) processor who bought the hogs under the Plan and the regulations;

(h) "hog" means any member of the species *Sus scrofa* (domestic pig);

(i) "person" shall include any partnership, corporation, cooperative, syndicate, or other business group formed or existing for the purpose of jointly acquiring or administering assets.

Producer
licenses

4. (1) Except as provided for in section 5, no person shall market fifty hogs, or more, or own ten brood sows, or more in a calendar year without a producer license from the board.

Application
for license

(2) An application for a license as a producer of hogs shall be as in Form 1 attached hereto and forming part of this order and any licenses issued to a person as a producer of hogs shall be as in Form 2 attached hereto and forming part of this order.

Forecasted
marketings

(3) On or before January 1st and July 1st of each year, a producer shall provide the Board with a forecast of marketings for the next twelve months, broken down into six month intervals.

Where application
not required

(4) Provided he complies with the orders of the Board, the Plan and the Act, any person presently engaged in the production of hogs for market

(a) who marketed fifty hogs or more during the past twelve-month period;

(b) who has owned a minimum of ten brood sows during the past twelve-month period;

may, without application therefor, be issued a license by the Board.

Suspension
or revocation

(5) All licenses may be suspended or revoked by the board for any of the following reasons:

(a) the producer fails to observe, perform or carry out the provisions of board orders, the Plan, or the Acts;

(b) the producer ceases to be a producer for a continuous period of one year, or a producer under the requirements of clause (c) of this section; provided, however, that the board may thereupon grant a new license to the producer for the operation;

(c) the producer does not market fifty hogs, or more, or does not own ten brood sows, or more in a twelve month period.

(d) the producer does not provide the Board with the twelve month forecast of marketings as required under subsection 4(3).

- Fee
- Refusal
- Transfer
- Export License
- Term of license applications
- Fee
- Export shipment permits
- Idem
- Register of Producers
- (6) There is no fee for a producer license.
 - (7) The board may refuse to issue new licenses to new entrants into the hog industry if an overall provincial production quota set by the board is being exceeded.
 - (8) Licenses may, subject to the approval of the board, be transferable to another person provided that person complies with the provisions of section 3.
 5. (1) No person shall market hogs produced in Prince Edward Island in interprovincial and export trade without first obtaining an Export Licence from the Board.
 - (2) An export license issued by the Board shall expire twelve months from the date of issue. Export license
 - (3) Upon application in Form 7 attached hereto, the board may issue an export license in Form 8 attached hereto on such terms and conditions as the board determines are necessary to effectively promote, control and regulate the hog industry in Prince Edward Island.
 - (4) The fee for an export license shall be \$100.00
 - (5) The Board shall use an export shipment permit system to regulate and control the marketing of hogs produced in Prince Edward Island that are marketed in interprovincial and export trade.
 - (6) No person shall market a shipment of hogs produced in Prince Edward Island in interprovincial and export trade unless the person has been granted an Export License and has applied for an export shipment permit in Form 9, attached hereto, and has received an export permit in Form 10, attached hereto, issued by the Board.
 6. Every licensed hog producer who complies with the orders of the board, the *Natural Products Marketing Act* and regulations passed thereunder and who has owned a minimum of ten brood sows, or has owned and marketed a minimum of fifty hogs during the twelve months prior to his being granted a license, may be placed on the register of producers of the board, provided said producer is of the age of eighteen years for the purpose of registration and provided that the producer's signature is on file with the board, or the Returning Officer as provided by the board orders, or the Plan, or the *Natural Products Marketing Act* and regulations passed thereunder. Any application for a license on file with the board shall be deemed to be an application for registration as a registered producer and the signature on the application form shall be the signature required to compare with the signature on the counterfoil for voting purposes.

Processor
licenses

7. (1) No person shall commence, or continue to engage in the processing of hogs except under the authority of a license as a processor of hogs in Form 4 attached hereto and forming part of this order.

Idem

- (2) No license as a processor of hogs shall be issued except upon application therefor in Form 3 attached hereto and forming part of this order.

Expiry

- (3) A license as a processor of hogs expires with the 31st day of March next following the date on which the license is issued.

License fee

- (4) The license fee to a processor shall be the sum of \$10.00 for processors processing less than 500 hogs per year, and \$100.00 for processors processing 500 hogs or more per year.

Conditions

- (5) A person who is granted a license as a processor shall agree to the following as a condition of license:

(a) To abide by all Orders of the Board made pursuant to the Hog Commodity Marketing Regulations and the *Natural Products Marketing Act*; and

(b) To adopt Agriculture Canada's Recommended Code of Practice for Care and Handling of Pigs. (Publication 1771/E).

Assembling,
shipping, or
transporting
licenses

8. (1) No person shall engage in buying and/or transporting of hogs except under the authority of a license issued by the Board and no license shall be issued except upon application therefor, except for licensed producers, whose license as a producer of hogs shall be deemed as his license as a transporter of hogs owned by him.

Applications

- (2) The application in this section shall be as in Form 5 attached hereto and forming part of this Order and license shall be as in Form 6 attached hereto and forming part of Order.

Fee

- (3) The license fee under this section shall be the sum of \$100.00.

Expiry

- (4) A license as a buyer or transporter of hogs expires with the 31st day of March next following the date on which the license is issued.

Conditions

- (5) A person who is granted a license as a buyer shall agree to the following as a condition of license:

(a) To abide by all Orders of the Board made pursuant to the Hog Commodity Marketing Regulations and the *Natural Products Marketing Act*.

- Idem (6) A person who is granted a license as a transporter shall agree to the following as a condition of license:
- (a) To abide by all Orders of the Board made pursuant to the Hog Commodity Marketing Regulations and the Natural Products Marketing Act; and
 - (b) To adopt Agriculture Canada's Recommended Code of Practice for Care and Handling of Pigs. (Publication 1771/E)
9. (1) The Board requires all producers, unless exempted herein, to sell hogs produced by them only to processors and buyers licensed by the Board.
- Statements (2) The Board may require any person who produces, processes, assembles, buys or transports hogs to furnish to the Board statements of the amounts of hogs that he produced and/or marketed in any year.
- Refusal, suspension, etc. 10. (1) The Board may require an applicant for a license to provide the following information:
- (a) a description of the applicant's experience in the function for which a license is being sought;
 - (b) a description of facilities and/or equipment to be used in carrying out the function for which a license is being sought;
 - (c) proof of financial capability and responsibility; and
 - (d) any other relevant information.
- Idem (2) The Board may refuse to grant a license where in the opinion of the Board the applicant is not qualified by experience; financial capability and responsibility; and facilities and equipment to engage in properly the business for which the application was made, or for any reason that the Board deems proper.
- (3) The Board may suspend, or revoke, or refuse to renew a license for failure to observe, perform or carry out the Board's Licensing Order and amendments thereto or the provision of the *Natural Products Marketing Act* or regulations made thereunder, or any order or direction of the Board or its agent.
11. (1) Producer licenses granted by the Board prior to the establishment of this Order shall remain in force.
- (2) Processor Licenses and Assembler, Shipper and Transporter Licenses issued prior to the establishment of this Order become invalid on March 31, 2006.
- Revocation 12. Prince Edward Island Hog Commodity Marketing Board Order HCMB90-2, dated the 10th day of September, 1990, is hereby revoked.
- Commencement 13. This order shall come into effect on the 1st day of February, A.D. 2006.

DATED at Charlottetown, this 20th day of December, A.D. 2005.

CHAIRMAN

SECRETARY

04

FORM 1

**PRINCE EDWARD ISLAND
HOG COMMODITY MARKETING BOARD**

APPLICATION FOR A LICENSE TO PRODUCE HOGS

To the Prince Edward Island Hog Commodity Marketing Board:

I/we hereby make application for a license to produce hogs for market under one of the following categories and certify that the information provided below is correct:

Applicant

Postal Address	District	Telephone Number
----------------	----------	------------------

Please indicate type of operation and answer the following questions:

New producer <u> </u> <u> </u> Yes No	<input type="checkbox"/> Sole Proprietorship
Estimated number of hog to be marketed annually <u> </u>	<input type="checkbox"/> Partnership
Approximate number of sows owned <u> </u>	<input type="checkbox"/> Corporation

DATED at _____, Prince Edward Island this ____ day of _____, _____.

_____ Signature of Applicant (Where applicant is a corporation or partnership, signature of person authorized to sign)	Where applicant is a corporation or partnership, list partners or shareholders: _____ _____ _____ _____ _____
_____ Name of person authorized to sign (please print)	

FORM 2

**PRINCE EDWARD ISLAND
HOG COMMODITY MARKETING BOARD**

LICENSE NO. _____

LICENSE AS A PRODUCER OF HOGS

UNDER the *Natural Products Marketing Act* and the regulations and orders of the Prince Edward Island Hog Commodity Marketing Board,

NAME: _____

OF: _____
Address

is hereby granted a license to produce hogs in Prince Edward Island.

This license is subject to the orders of the Board as from time to time amended.

ISSUED at Charlottetown, Prince Edward Island, this ____ day of _____, ____.

**PRINCE EDWARD ISLAND
HOG COMMODITY MARKETING BOARD**_____
CHAIRMAN_____
SECRETARY

FORM 3

PRINCE EDWARD ISLAND
HOG COMMODITY MARKETING BOARD

APPLICATION FOR LICENSE AS A PROCESSOR OF HOGS

To the Prince Edward Island Hog Commodity Marketing Board:

(Name of Applicant)

- Sole Proprietorship
- Partnership
- Corporation

(Address)

hereby makes application for a license as a processor of hogs under the *Natural Products Marketing Act* and regulations and orders of the Prince Edward Island Hog Commodity Marketing Board and agree to the following as a condition of license:

1. To abide by all Orders of the Board made pursuant to the Hog Commodity Marketing Regulations and the *Natural Products Marketing Act*; and
2. To adopt Agriculture Canada's Recommended Code of Practice for Care and Handling of Pigs. (Publication 1771/E)

DATED at _____ **this** _____ day of _____, _____.

Signature of Applicant
(where applicant is a corporation or partnership,
signature of person authorized to sign)

Name (please print)

(Title)

Where applicant is a corporation or partnership, list partners or shareholders:

FORM 4

**PRINCE EDWARD ISLAND
HOG COMMODITY MARKETING BOARD**

LICENSE NO: _____

LICENSE AS A PROCESSOR OF HOGS

UNDER the *Natural Products Marketing Act* and regulations and orders of the Prince Edward Island Hog Commodity Marketing Board,

(Name)

of

(Address)

is licensed to engage in the processing of hogs in Prince Edward Island.

This license expires on the 31st of March next following the date of issue and is subject to the orders of the board as from time to time amended.

ISSUED at Charlottetown, Prince Edward Island, this _____, day of _____, _____.

**PRINCE EDWARD ISLAND HOG
COMMODITY MARKETING BOARD**_____
CHAIRMAN_____
SECRETARY

FORM 5

PRINCE EDWARD ISLAND
HOG COMMODITY MARKETING BOARD

APPLICATION FOR LICENSE
AS BUYER AND/OR TRANSPORTER OF HOGS

To the Prince Edward Island Hog Commodity Marketing Board:

(Name of Applicant)

(Address)

- Sole Proprietorship
- Partnership
- Corporation

To be completed by Applicant for license as buyer

I, the above named applicant, make application for a license as buyer of hogs under the *Natural Products Marketing Act* and regulations and Orders of the Prince Edward Island Hog Commodity Marketing Board and agree to the following as a condition of license:

- To abide by all Orders of the Board made pursuant to the Hog Commodity Marketing Regulations and the *Natural Products Marketing Act*.

DATED at _____, this ____ day of _____, ____.

Signature of Applicant
(where applicant is a corporation or partnership,
signature of person authorized to sign)

Name of person authorized to sign
(please print)

To be completed by Applicant for license as transporter

I, the above named applicant, make application for a license as a transporter of hogs under the *Natural Products Marketing Act* and regulations and Orders of the Prince Edward Island Hog Commodity Marketing Board and agree to the following as a condition of license:

- To abide by all Orders of the Board made pursuant to the Hog Commodity Marketing Plan Regulations and the *Natural Products Marketing Act*; and
- To adopt Agriculture Canada's Recommended Code of Practice for Care and Handling of Pigs. (Publication 1771/E)

DATED at _____, this ____ day of _____, ____.

Signature of Applicant
(where applicant is a corporation or partnership,
signature of person authorized to sign)

Name of person authorized to sign
(please print)

FORM 6

**PRINCE EDWARD ISLAND
HOG COMMODITY MARKETING BOARD**

LICENSE NO: _____

LICENSE AS BUYER AND/OR TRANSPORTER OF HOGS

UNDER the *Natural Products Marketing Act* and regulations and orders of the Prince Edward Island Hog commodity Marketing Board.

_____, of _____
(Name) (Address)

is licensed as a _____ of hogs in Prince Edward Island.

This license expires on the 31st day of March next following the date of issue and is subject to the orders of the board as from time to time amended.

ISSUED at Charlottetown, Prince Edward Island, this _____ day of _____, _____.

**PRINCE EDWARD ISLAND
HOG COMMODITY MARKETING BOARD**_____
CHAIRMAN_____
SECRETARY

Expiry Date: _____

FORM 7

PRINCE EDWARD ISLAND
HOG COMMODITY MARKETING BOARD

APPLICATION FOR EXPORT LICENSE

To the Prince Edward Island Hog Commodity Marketing Board:

I, _____
(Name of Applicant)
of _____
(Address)

- | |
|--|
| <input type="checkbox"/> Sole Proprietorship |
| <input type="checkbox"/> Partnership |
| <input type="checkbox"/> Corporation |

hereby make application for an Export License to market the following hogs produced in Prince Edward Island in interprovincial and export trade:

Estimated number of hogs to be exported: _____ Breeding Stock
 _____ Weanlings
 _____ Sows
 _____ Boars
 _____ Market Hogs

I certify that I will:

1. Apply for and receive from the Board an Export Permit for each shipment of hogs exported.
2. Pay all levies to the Board established by Order of the Board.
3. Provide the Board with any and all information related to export shipments within ten days of sale.
4. Use only buyers and/or transporters that hold a valid Buyers Licence or Transporters License from the Board.
5. Abide by orders of the Board as amended from time to time.
6. Respect my commitments to the Board related to my forecasted marketing of hogs.

DATED at _____, this _____ day of _____, _____.

Signature of Applicant
(where applicant is a corporation or partnership,
signature of person authorized to sign)

Name of person authorized to sign
(please print)

(position held)

FORM 8

**PRINCE EDWARD ISLAND
HOG COMMODITY MARKETING BOARD**

EXPORT LICENSE NO. _____

EXPORT LICENSE

Under the *Natural Products Marketing Act*, R.S.P.E.I. 1988, Cap. N-3 and the regulations and orders of the Prince Edward Island Hog Commodity Marketing Board,

Name: _____ of _____

is hereby granted a license to market hogs in interprovincial and export trade, as outlined in the attached Application Form.

Issued at Charlottetown, Prince Edward Island, this _____ day of _____, _____.

**PRINCE EDWARD ISLAND HOG
COMMODITY MARKETING BOARD**_____
CHAIRMAN_____
SECRETARY

Expiry Date: _____

FORM 9

**PRINCE EDWARD ISLAND
HOG COMMODITY MARKETING BOARD**

APPLICATION FOR EXPORT SHIPMENT PERMIT

Under the *Natural Products Marketing Act*, R.S.P.E.I. 1988, Cap. N-3 and the regulations and orders of the Prince Edward Island Hog Commodity Marketing Board,

I, _____ of _____
Name Address

hereby apply for a permit to export the following shipment of hogs in interprovincial and export trade pursuant to my Export License No. _____:

1. Number of hogs to be shipped in this shipment: _____
2. Type of hogs being shipped in this shipment: _____
3. Date of shipment: _____
(Hogs must be exported within five days of this date)
4. The Licensed transporter of the hogs is: _____
5. The destination of the hogs is: _____

I agree:

1. that this permit number will be recorded on the Bill of Lading accompanying the shipment of hogs when it leaves Prince Edward Island.
2. to pay all levies to the Board established by Order of the Board.
3. to provide the Board with any and all information related to this export shipment within ten days of the sale.
4. not to use this permit for the shipment of any other type of hogs.
5. that this permit is subject to orders of the Board as amended from time to time.

Dated at _____, Prince Edward Island, this _____ day of _____, _____.

Signature of Applicant
(where applicant is a corporation or partnership,
signature of person authorized to sign)

Name of person authorized to sign
(please print)

(position held)

**NOTICE OF CHANGE
OF CORPORATE NAME**

Companies Act
R.S.P.E.I. 1988, CAP. C-14, S. 81.1

Public Notice is hereby given that under the *Companies Act* the following corporation has changed its corporate name:

Former Name H-LINE ENTERPRISES INC.
New Name 100735 P.E.I. INC.
Effective Date: January 17, 2006

Former Name PRINCE EDWARD ISLAND
HOCKEY ASSOCIATION
INC.
New Name HOCKEY PEI INC.
Effective Date: January 19, 2006

Former Name 100718 P.E.I. INC.
New Name TOPS TO FLOORS INC.
Effective Date: January 17, 2006

Former Name MACCONNELL'S
COMPUTER SALES &
SERVICES LTD.
New Name VIRTUAL ONLINE
TECHNOLOGIES INC.
Effective Date: January 17, 2006

NOTICE OF DISSOLUTION

Partnership Act
R.S.P.E.I. 1988, Cap. P-1

Public Notice is hereby given that a Notice of Dissolution has been filed under the *Partnership Act* for each of the following:

Name: CONSUMER AUTOMOTIVE
Owner: CIT FINANCIAL LTD./SERVICES
FINANCIERS CIT LTÉE
Registration Date: January 20, 2006

Name: BARRY'S PUB AND EATERY
Owner: B & E HOLDINGS INC.
Registration Date: January 23, 2006

Name: NABEL LEASING
Owner: CIT FINANCIAL LTD./SERVICES
FINANCIERS CIT LTÉE
Registration Date: January 20, 2006

Name: NOREX LEASING
Owner: CIT FINANCIAL LTD./SERVICES
FINANCIERS CIT LTÉE
Registration Date: January 20, 2006

Name: BURLOAK FINANCIAL
SERVICES
Owner: CIT FINANCIAL LTD./SERVICES
FINANCIERS CIT LTÉE
Registration Date: January 20, 2006

Name: NEWCOURT FINANCIAL
Owner: CIT FINANCIAL LTD./SERVICES
FINANCIERS CIT LTÉE
Registration Date: January 20, 2006

Name: COMMCORP TECHNOLOGIES
Owner: CIT FINANCIAL LTD./SERVICES
FINANCIERS CIT LTÉE
Registration Date: January 20, 2006

Name: CARDPLUS PLAN
Owner: CIT FINANCIAL LTD./SERVICES
FINANCIERS CIT LTÉE
Registration Date: January 20, 2006

Name: BENEFIT LEASING
Owner: CIT FINANCIAL LTD./SERVICES
FINANCIERS CIT LTÉE
Registration Date: January 20, 2006

Name: MAXILEASE
Owner: CIT FINANCIAL LTD./SERVICES
FINANCIERS CIT LTÉE
Registration Date: January 20, 2006

Name: MUNICIPAL LEASING
Owner: CIT FINANCIAL LTD./SERVICES
FINANCIERS CIT LTÉE
Registration Date: January 20, 2006

Name: LUCENT TECHNOLOGIES
PRODUCT FINANCE
Owner: CIT FINANCIAL LTD./SERVICES
FINANCIERS CIT LTÉE
Registration Date: January 20, 2006

Name: GE CAPITAL AUTOLEASE
Owner: GENERAL ELECTRIC CAPITAL
CANADA INC.
Registration Date: January 17, 2006

Name: GE CAPITAL AUTO FINANCIAL SERVICES
 Owner: GENERAL ELECTRIC CAPITAL CANADA INC.
 Registration Date: January 17, 2006

Name: SUMMERHAVEN HOUSE
 Owner: Merrill Weale
 Registration Date: January 17, 2006

Name: SUN CITY TANNING STUDIO
 Owner: Melissa McQuaid
 Registration Date: January 17, 2006

Name: TOPS TO FLOORS
 Owner: David A. Vanduinkerken
 Registration Date: January 17, 2006

Name: VIRTUAL ONLINE TECHNOLOGIES
 Owner: Bradley S MacConnell
 Registration Date: January 17, 2006

04

**NOTICE OF GRANTING
 LETTERS PATENT**

Companies Act
 R.S.P.E.I. 1988, Cap. C-14, s.11,

Public Notice is hereby given that under the *Companies Act* Letters Patent have been issued by the Minister to the following:

Name: 100734 P.E.I. INC.
 44 Westwood Crescent
 Charlottetown, PE C1A 2S9
 Incorporation Date: January 20, 2006

Name: 100739 P.E.I. INC.
 133 Queen Street
 Charlottetown, PE C1A 4B3
 Incorporation Date: January 19, 2006

Name: 100740 P.E.I. INC.
 52 Kennedy Road
 R R # 1
 Charlottetown, PE C1B 2T6
 Incorporation Date: January 20, 2006

Name: DAVEMAC HOLDINGS INC.
 Morell, PE C0A 1S0
 Incorporation Date: January 23, 2006

Name: DAVID MACSWAIN HOLDINGS INC.
 Morell, PE C0A 1S0
 Incorporation Date: January 23, 2006

Name: DONALD MACSWAIN HOLDINGS INC.
 Morell, PE C0A 1S0
 Incorporation Date: January 23, 2006

Name: DONMAC HOLDINGS INC.
 Morell, PE C0A 1S0
 Incorporation Date: January 23, 2006

Name: EASTERN BOOKINGS INC.
 RR 1, Pownal, PE C0A 1Z0
 Incorporation Date: January 17, 2006

Name: M.G. MCQUAID HOLDINGS INC.
 13 Scott Street,
 Charlottetown, PE C1E 1A5
 Incorporation Date: January 16, 2006

Name: P & K TRUCKING LTD.
 38 Little Flower Avenue
 Morell, PE C0A 1S0
 Incorporation Date: January 17, 2006

Name: P&S ENTERPRISES INC.
 100 Bunbury Road
 Stratford, PE C1B 1V1
 Incorporation Date: January 19, 2006

Name: PIT BULL FUTURES INC.
 Box 179, Cornwall, PE C0A 1H0
 Incorporation Date: January 18, 2006

Name: THE MERCHANT HOUSE INN AND CHALETS INC.
 65 Grafton Street, Box 2140
 Charlottetown, PE C1A 8B9
 Incorporation Date: January 19, 2006

04

**NOTICE OF GRANTING
 SUPPLEMENTARY LETTERS PATENT**

Companies Act
 R.S.P.E.I. 1988, Cap. C-14, s.18, s.3

Public Notice is hereby given that under the *Companies Act* supplementary letters patent have been issued by the Minister to the following:

Name: 100113 P.E.I. INC.
 Purpose To amend the authorized capital.
 Effective Date: January 20, 2006

04

NOTICE OF REGISTRATION

Partnership Act
R.S.P.E.I. 1988, Cap. P-1, s.52 and s.54(1)

Public Notice is hereby given that the following Declarations have been filed under the *Partnership Act*:

Name: PRACTICE SOLUTIONS
Owner: PRACTICE SOLUTIONS LTD.
Solutions cliniques Ltée
1870 Alta Vista Drive
Ottawa, ON K1G 6R7
Registration Date: January 03, 2006

Name: MIDWEST POWER PRODUCTS
Owner: WAJAX GP HOLDCO INC./Wajax
associé commandité Holdco Inc.
3280 Wharton Way
Mississauga, ON L4X 2C5
Registration Date: January 16, 2006

Name: SUN CITY TANNING STUDIO
Owner: M.G. MCQUAID HOLDINGS INC.
13 Scott Street
Charlottetown, PE C1E 1A5
Registration Date: January 17, 2006

Name: H-LINE ENTERPRISES
Owner: 100725 P.E.I. INC.
RR 5, Cardigan, PE C0A 1G0
Registration Date: January 17, 2006

Name: GE CAPITAL AUTOLEASE
Owner: GENERAL ELECTRIC CAPITAL
CANADA
2300 Meadowvale Blvd.
Mississauga, ON L5N 5P9
Registration Date: January 17, 2006

Name: GE CAPITAL AUTO FINANCIAL
SERVICES
Owner: GENERAL ELECTRIC CAPITAL
CANADA
2300 Meadowvale Blvd.
Mississauga, ON L5N 5P9
Registration Date: January 17, 2006

Name: MACCONNELL'S COMPUTER
SALES & SERVICE
Owner: VIRTUAL ONLINE
TECHNOLOGIES INC.
19 MacArthur Drive
Charlottetown, PE C1A 6N2
Registration Date: January 17, 2006

Name: PETER'S PLACE
Owner: BEECHWOOD ENTERPRISES INC.
19 Ole King Square
Charlottetown, PE C1A 1P8
Registration Date: January 19, 2006

Name: STANHOPE BY THE SEA
Owner: 100580 P.E.I. INC.
58 Great George Street
Charlottetown, PE C1A 4K3
Registration Date: January 19, 2006

Name: MAPLE LEAF POTATOES
Owner: MAPLE LEAF CONSUMER
FOODS INC./Les Aliments de
Consommation Maple Leaf Inc.
321 Courtland Avenue East
Kitchener, ON N2G 3X8
Registration Date: January 19, 2006

Name: J.M. SCHNEIDER
Owner: MAPLE LEAF CONSUMER
FOODS INC./Les Aliments de
Consommation Maple Leaf Inc.
321 Courtland Avenue East
Kitchener, ON N2G 3X8
Registration Date: January 19, 2006

Name: EMCOR FACILITIES SERVICES
Owner: COMSTOCK CANADA LTD.
3455 Landmark Road
Burlington, ON L7M 1T4
Registration Date: January 19, 2006

Name: PRACTICE SOLUTIONS
CONSULTING
Owner: PRACTICE SOLUTIONS LTD.
Solutions cliniques Ltée
1870 Alta Vista Drive
Ottawa, ON K1G 6R7
Registration Date: January 03, 2006

Name: PAOLI'S WHARF
Owner: AVIDE DEVELOPMENTS
INC./DÉVELOPPEMENTS AVIDE
INC.
Box 750, 123 Halifax Street
Moncton, NB E1C 8N5
Registration Date: January 20, 2006

Name: OTRIDERS COOKHOUSE
Owner: B & E HOLDINGS INC.
56 Parent Street
Charlottetown, PE C1C 1R2
Registration Date: January 23, 2006

Name: ATLANTIC ECOWORKS
Owner: Rodney J. Dempsey
900 East Suffolk Road
R R # 3, Charlottetown, PE C1A 7J7
Registration Date: January 20, 2006

Name: BE-JEWELLED
Owner: Pam Stevenson
Emerald, PE C0B 1M0
Registration Date: January 19, 2006

Name: BLOCKBOOK
Owner: Perimeter Markets Inc.
2 Queen Street East, Suite 1800
Toronto, ON M5C 3G7
Registration Date: January 19, 2006

Name: BOWLAN'S STAINED GLASS
SUPPLIES
Owner: Eric Bowlan
237 University Avenue
Charlottetown, PE C1A 4L8
Registration Date: January 16, 2006

Name: BRET COADY PAINTING
Owner: Bret Coady
11574 Trans Canada Highway
Stratford, PE C1B 1N6
Registration Date: January 19, 2006

Name: CBID
Owner: Perimeter Markets Inc.
2 Queen Street East, Suite 1800
Toronto, ON M5C 3G7
Registration Date: January 19, 2006

Name: COLDFRY
Owner: Tiyanna Rushton
106A Hillsborough Street
Charlottetown, PE C1A 4W4
Megan Harris
106A Hillsborough Street
Charlottetown, PE C1A 4W4
Registration Date: January 20, 2006

Name: CRIMINAL UNDERGROUND
Owner: Matthew MacLean
2 Valley Drive
Stratford, PE C1B 1M3
Daniel Bingley
27 Barkley Avenue
Stratford, PE C1B 1Z5
Registration Date: January 17, 2006

Name: DESROCHES BUSINESS
SERVICES
Owner: Amanda DesRoches
33 North Drive
Summerside, PE C1N 4E7
Registration Date: January 16, 2006

Name: INTERNET SECURE PC
Owner: Richard G. Fennimore
1 - 308 Fitzroy Street
Charlottetown, PE C1A 1T1
Registration Date: January 20, 2006

Name: J.C. DRILLING
Owner: John Cyrus Arsenault
427 St. Raphael Road
Box 60, R R # 2
Wellington, PE C0B 2E0
J. Alphonse Arsenault
36 Sunset Drive
Box 96, Wellington, PE C0B 2E0
Registration Date: January 19, 2006

Name: JOCELYN'S COTTAGE
Owner: Alan Keller
143 Douglas Glen Manor SE
Calgary, AB T2Z 3Y5
Dwayne Dubois
143 Douglas Glen Manor SE
Calgary, AB T2Z 3Y5
Registration Date: January 18, 2006

Name: LUNDCO MORTGAGE GROUP
Owner: Stephen Swyer
93 Water Street
Charlottetown, PE C1A 1A5
Registration Date: January 20, 2006

Name: MACKENZIE ENTERPRISES
Owner: Donald Roderick MacKenzie
392 Lower Montague Road
Box 51, Montague, PE C0A 1R0
Nancy Elizabeth MacKenzie
392 Lower Malpeque Road
Box 51, Montague, PE C0A 1R0
Registration Date: January 16, 2006

Name: PEI BUSINESS DIRECTORY.COM
Owner: Paul Trainor
194 Red Point Rd.
R R # 5, Charlottetown, PE C1A 7J8
Registration Date: January 18, 2006

Name: PEI OCEAN VILLA
 Owner: Roger Walton
 6 Brighton Road
 Charlottetown, PE C1A 1T4
 Karen Walton
 6 Brighton Road
 Charlottetown, PE C1A 1T4
 Jocelyne Carreau
 17 Lodgburn Drive
 Hammonds Plains, NS B4B 1N4
 Calvin Gosse
 17 Lodgburn Drive
 Hammonds Plains, NS B3B 1N4
 Pat Logue
 5 A.Y. Jackson Court
 Bedford, NS B4A 4B4
 Deborah Logue
 5 A.Y. Jackson Court
 Bedford, NS B4A 4B4
 Registration Date: January 19, 2006

Name: PRINCE COUNTY CYCLE & AUTO
 Owner: Michel Cormier
 455 North Market Street
 Summerside, PE C1N 1M2
 Denton Ellis
 25 Beachwood Avenue
 O'Leary, PE C0B 1B0
 Douglas LeClair
 Norboro
 R R # 6, Kensington, PE C0B 1M0
 Registration Date: January 16, 2006

Name: SEASONS AT HOME
 Owner: Debbie Lynn Panton
 696 Brackley Point Road
 Charlottetown, PE C1E 1Z3
 Keith John Panton
 696 Brackley Point Road
 Charlottetown, PE C1E 1Z3
 Registration Date: January 20, 2006

Name: SUMMERHAVEN HOUSE
 Owner: Gary Martin
 112 Bessborough Drive
 Toronto, ON M4G 3J4
 Registration Date: January 17, 2006

Name: T & S MUSSEL FARMS
 Owner: Travis Graham
 476 St. Andrew's Point Road
 R R # 2, Montague, PE C0A 1R0
 Steven Creed
 36 Oldis Road
 R R # 4, Montague, PE C0A 1R0
 Registration Date: January 17, 2006

Name: T.T.F. HOLDINGS
 Owner: Mary Phyllis Jane Taylor
 40 Hyde Cornwall
 Box 2272
 Charlottetown, PE C1A 8B9
 Dorothy A. Taylor
 126 Cornwall Road
 Box 1038, Cornwall, PE C0A 1H0
 Audrey E. Farquharson
 2240 Bethel Road
 R R # 5, Charlottetown, PE C1A 7J8
 Registration Date: January 19, 2006

Name: THE SURLY MERMAID
 COUNTRY INN
 Owner: Erwin Morrison
 139 Halliday's Road
 Belfast, PE C0A 1A0
 Registration Date: January 16, 2006

Name: T'N'J EXTREME CLEAN
 Owner: Tammy Wall
 101 Waterside Road
 R R # 1, Charlottetown, PE C1A 7J6
 Registration Date: January 23, 2006

Name: UNIQUE BLINDS
 Owner: Marcie Van Colen
 Box 482, Cornwall, PE C0A 1H0
 Registration Date: January 23, 2006

NOTICE OF APPLICATION FOR LEAVE TO SURRENDER CHARTER

PFSB Residential Services Inc., a body corporate, duly incorporated under the laws of the Province of Prince Edward Island, hereby gives notice pursuant to the *Companies Act* of the Province of Prince Edward Island, R.S.P.E.I. 1988, Cap. C-14, that it intends to make application to the Director of Consumer, Corporate and Insurance Services, Office of the Attorney General, for leave to surrender the Charter of the said Corporation.

DATED at Charlottetown in Queens County, this 24th day of January, 2006.

Stephen J. Carpenter
 Solicitor for the Applicant
 Stewart McKelvey Stirling Scales
 Barristers and Solicitors

04

**NOTICE OF APPLICATION FOR
LEAVE TO SURRENDER CHARTER**

TAKE NOTICE that **Western Florist & Gift Boutique Inc.**, a body corporate, duly incorporated under the *Companies Act* of the Province of Prince Edward Island and having its head office at Alberton, Prince Edward Island, intends to apply to the Director of Corporations, Office of the Attorney General, under section 74 of the *Companies Act*, R.S.P.E.I. 1988, Cap. C-14 for leave to surrender its Charter, as and from a date to be fixed.

DATED at Summerside, Prince County, Prince Edward Island, this 19th day of January, 2006.

JOHN L. RAMSAY, Q.C.,
Solicitor for

Western Florist & Gift Boutique Inc.

04

**NOTICE
CHANGE OF NAME**

Be advised that a name change under the *Change of Name Act* S.P.E.I. 1997, C-59 was granted as follows:

Former Name: **Robert Michael Arsenault**
Address: 109 Andrews Crt.
Charlottetown, PE C1C 1A8

Present Name: **Michael Robert Arsenault**

January 19, 2006

T.A. Johnston
Director of Vital Statistics

04

**NOTICE
MARRIAGE ACT**
Prince Edward Island
[Subsection 8(1) of the Act]

Notice is hereby published that, under the authority of the *Marriage Act*, the following clergy has been **registered** for the purpose of solemnizing marriage in the province of Prince Edward Island:

Rev. Kevin E. Mitchell
1031 Canoe Cove Rd. RR 2
Cornwall, PE C0A 1H0

T.A. Johnston
Director of Vital Statistics

04

<http://www.gov.pe.ca/royalgazette>

**NOTICE
MARRIAGE ACT**

Prince Edward Island
[Subsection 8(1) of the Act]

Notice is hereby published that, under the authority of the *Marriage Act*, the following clergy has been **registered** for the purpose of solemnizing marriage in the province of Prince Edward Island:

Rev. Kevin B. Quast
54 Walthen Dr.
Charlottetown, PE C1A 4T8

T.A. Johnston
Director of Vital Statistics

04

The following minute was approved by the Executive Council dated 24 January 2006.

M2006-1

**ATLANTIC PROVINCES SPECIAL
EDUCATION AUTHORITY
BOARD OF DIRECTORS
APPOINTMENT**

Council, upon the recommendation of the Minister of Education and pursuant to clause 5(2)(b) of the *Handicapped Persons' Education Act*, Revised Statutes of Nova Scotia, 1989, Chapter 194, appointed Dr. Susan Elliott-Johns of Breadalbane, an Elementary Special Education Consultant employed by the Eastern School District, to the Atlantic Provinces Special Education Authority (vice Lorna Ansems) for a two year term, effective 17 January 2006.

Signed,

W. Alexander (Sandy) Stewart
Clerk of the Executive Council

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The ROYAL GAZETTE is issued every Saturday from the office of Michael Fagan, Acting Queen's Printer, PO Box 2000, Charlottetown, PEI C1A 7N8. All copy must be received by the Tuesday preceding day of publication. The subscription rate is \$55.00 per annum, postpaid.

PART II
REGULATIONS

EC2006-19

ENVIRONMENTAL PROTECTION ACT
WATER WELL REGULATIONS
AMENDMENT

(Approved by His Honour the Lieutenant Governor in Council dated 17 January 2006.)

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

1. Section 1 of the *Environmental Protection Act* Water Well Regulations (EC188/90) is amended by the addition of the following after clause (s);

(s.1) “plumber” means a person who holds a Certificate of Proficiency or a Certificate of Qualification, issued under the *Apprenticeship and Trades Qualification Act* Regulations (EC 712/95), in the certified trade of plumber;

2. Section 12 is amended

(a) in subsection (1), by the addition of the words “or plumber” after the words “the well filled by a well contractor”; and

(b) in clause (2)(a), by the addition of the following words “or plumber” after the words “well contractor”.

3. Schedule E of the regulations is amended by the deletion of the words “licensed well contractor” and by the substitution of the words “well contractor or plumber”.

4. These regulations come into force on January 28, 2006.

EXPLANATORY NOTES

The amendments authorize a plumber to fill an unused water well.

Certified a true copy,

W. Alexander (Sandy) Stewart
Clerk of the Executive Council

EC2006-21

**HIGHWAY TRAFFIC ACT
COMMERCIAL DRIVER, CARRIER AND AUDIT REVIEW
SYSTEMS REGULATIONS**

(Approved by His Honour the Lieutenant Governor in Council dated 17 January 2006.)

Pursuant to section 148 of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

Definitions	1. In these regulations
Act	(a) “Act” means the <i>Highway Traffic Act</i> R.S.P.E.I. 1988, Cap. H-5;
carrier	(b) “carrier” means a carrier as defined in clause 142(a) of the Act;
CCMTA	(c) “CCMTA” means the Canadian Council of Motor Transport Administrators;
CVSA	(d) “CVSA” means the Commercial Vehicle Safety Alliance organization of Federal, State and Provincial Government agencies and representatives from private industry in the United States, Canada and the Republic of Mexico dedicated to improving commercial vehicle safety;
Conviction Equivalency Table	(e) “Conviction Equivalency Table” means the table established by CCMTA that codifies the demerit points that are attributable to a driver and a carrier in respect of <ul style="list-style-type: none"> (i) contraventions of the legislation governing the operation of commercial motor vehicles in any jurisdiction or in any reciprocating province, and (ii) contraventions of the <i>Criminal Code</i> (Canada);
demerit point	(f) “demerit point” means the demerit point value set out opposite each conviction, as codified in the Conviction Equivalency Table, results from CVSA inspections, and reportable collision results as outlined in Schedule 1;
driver	(g) “driver” means a driver as defined in clause 1(e) of the Act;
facility audit	(h) “facility audit” means an inspection and audit of the records of a driver or a carrier by the Registrar or a person authorized by the Registrar to determine compliance with applicable safety standards;
inspection	(i) “inspection” means an inspection of a driver or a vehicle using the criteria established by the CVSA;
jurisdiction	(j) “jurisdiction” means a province or a territory of Canada, any state of the United States, or the Republic of Mexico;

- (k) “maximum allowable accumulated demerit points” means, in relation to a driver or a carrier, the maximum allowable accumulated demerit points, as set out in Schedule 3, that the driver or carrier may accumulate and still operate or drive a commercial vehicle; maximum allowable accumulated demerit points
- (l) “National Safety Code for Motor Carriers” means the code of minimum performance and safety standards for commercial vehicles developed by CCMTA; National Safety Code for Motor Carriers
- (m) “National Safety Code number” means an identifying number assigned to a driver or a carrier by the Registrar; National Safety Code number
- (n) “reportable collision” means a collision or an accident involving a commercial vehicle that results in injury or death to a person or damages to property of \$1,000 or more; reportable collision
- (o) “safety rating” means the safety rating of a carrier as assigned by the Registrar pursuant to section 3 of these regulations. safety rating
2. Pursuant to subsection 148(2) of the Act, the codes and standards respecting commercial vehicles, drivers and carriers of commercial vehicles that are made by CCMTA or CVSA are hereby adopted, as amended from time to time, and in particular: Adoption of Codes and Standards
- (a) the Conviction Equivalency Table;
- (b) the National Safety Code for Motor Carriers; and
- (c) the CVSA Code for Out of Service Criteria.
3. (1) The Registrar shall maintain a safety rating record on drivers and carriers outlining safety rating categories for drivers and carriers for the purposes of these regulations. Safety rating record
- (2) The Registrar shall consider the following factors in determining the safety rating record of drivers and carriers under subsection (1): Safety rating factors
- (a) reportable collisions;
- (b) driving offences, violations, detentions and convictions pursuant to
- (i) the Act and its regulations,
- (ii) the *Roads Act* R.S.P.E.I. 1988, Cap. R-15 and its regulations,
- (iii) the *Dangerous Goods (Transportation) Act* R.S.P.E.I. 1988, Cap. D-3 and its regulations,
- (iv) the *Criminal Code* (Canada) in relation to the operation of a motor vehicle,
- (v) CVSA roadside inspections, and
- (vi) facility audit results;
- (c) results of any inspection of a commercial vehicle undertaken pursuant to the Act;
- (d) safety ratings as issued in any reciprocating province; and
- (e) driving offences that occur in any reciprocating province.

Zero point value	(3) The Registrar may assign a zero point value to a reportable collision where no fault on the part of a driver or a carrier has been established.
Safety ratings	(4) The Registrar shall assign to a driver or a carrier one of the following safety ratings: (a) satisfactory rating; (b) satisfactory unaudited rating; (c) conditional rating; (d) unsatisfactory rating.
Review by Registrar	(5) The Registrar may review the safety rating of a driver or a carrier at any time and may change the safety rating depending on demerit point accumulations, results of facility audits, and determinations made after an interview of a driver or a carrier.
Demerit point safety rating	(6) The safety rating for a driver or a carrier shall be determined by the Registrar based on the demerit points the driver or carrier has accumulated within the last 24 months.
Prohibition	(7) No driver shall drive, and no carrier shall operate, a commercial vehicle if the driver or carrier has exceeded the maximum allowable accumulated demerit points.
Satisfaction safety rating	(8) A satisfactory safety rating shall be assigned to a driver or a carrier if the driver or carrier has not accumulated greater than 85% of the maximum allowable accumulated demerit points and has successfully passed a facility audit within the last 24 months.
Satisfactory unaudited safety rating	(9) A satisfactory unaudited safety rating shall be assigned to a driver or a carrier if the driver or carrier has not accumulated greater than 85% of the maximum allowable accumulated demerit points and has not been subject to a facility audit within the last 24 months
Conditional safety rating	(10) A conditional safety rating shall be assigned to a driver or a carrier if the driver or carrier, within the last 24 months, (a) has exceeded 85% but not 100% of the maximum allowable accumulated demerit points and has failed an interview or a facility audit; (b) has less than 85% of the maximum allowable accumulated demerit points and is within six months of the date that the driver or carrier first exceeded the 85% level; (c) has failed a facility audit; (d) has passed a facility audit but is within six months of the date of the failed audit; (e) has exceeded 100% of the maximum allowable accumulated demerit points and the Registrar has determined by an interview of the driver or carrier that the continued operation of the driver or carrier will not adversely affect the safety of the public;

- (f) has been reinstated by the Registrar after an unsatisfactory rating that did not result from having inadequate insurance but is within six months of the date of the reinstatement; or
- (g) has been placed on probation.

(11) An unsatisfactory safety rating shall be assigned to a driver or a carrier where the driver or carrier

Unsatisfactory
safety rating

- (a) has exceeded 100% of the maximum allowable accumulated demerit points and has failed an interview or a facility audit or both;
- (b) does not have proof of insurance or is not adequately insured;
- (c) has failed to comply with administrative conditions imposed by the Registrar after failing to comply with the Act or these regulations;
- (d) has failed to demonstrate an acceptable safety record in a reciprocating province;
- (e) has failed to meet the registration requirements outlined in the Act; and
- (f) has failed to appear for an interview with the Registrar without just cause, or has failed to participate in a facility audit.

(12) The Registrar shall, on request, in person or in writing and on payment of the prescribed fee, provide to any person

Access to safety
rating

- (a) a driver's or a carrier's safety rating certificate issued by the Highway Safety Division;
- (b) a certified abstract of the operating record of a driver or a carrier, as requested, outlining the reportable collisions, convictions, safety ratings of the driver or carrier, the results of inspections of the driver or carrier, and the results of facility audits of the driver or carrier; and
- (c) any other information that, in the opinion of the Registrar, is relevant to the driver's or carrier's safety rating.

(13) The Registrar shall maintain a record of the information provided to any person under subsection (12).

Record of
information

4. (1) The Registrar may, by order in writing, place a driver or a carrier under sanction

Sanction

- (a) for an unsatisfactory safety rating;
- (b) for any conviction under the Act, *Dangerous Goods (Transportation) Act*, *Roads Act*, and their accompanying regulations;
- (c) for any conviction under sections 220, 221, 236 or subsections 249(1), (2), or (4), or 254(5) or clauses 253(a) or (b), of the *Criminal Code* (Canada);
- (d) for any reportable collision, unless it can be shown that the driver or carrier was in no way responsible for the collision; or
- (e) for any other reason that, in the opinion of the Registrar, renders any driver or carrier unfit to act as a driver or a carrier.

-
- Review by Registrar (2) The Registrar may, at any time, conduct a review consisting of four different levels of the safety rating of a driver or a carrier and may change the safety rating of the driver or carrier depending on demerit point accumulations, results of facility audits, and determinations made by the Registrar after an interview of a driver or a carrier.
- Driver or carrier may attend review (3) A driver or a carrier may attend any level of review conducted by the Registrar.
- Nature of review, sanction (4) Where the Registrar places a driver or a carrier under sanction under subsection (1), or conducts a review under subsection (2), the Registrar shall
- (a) at the first level review, where a driver's or a carrier's accumulated demerit points exceed 25% but do not exceed 60% of the driver's or carrier's maximum allowable accumulated demerit points, notify the driver or carrier in writing to that effect, and advise that an inspection or audit may be carried out;
 - (b) at the second level review, where a driver's or a carrier's accumulated demerit points exceed 60% but do not exceed 85% of the driver's or carrier's maximum allowable accumulated demerit points, issue a warning letter to the driver or carrier to that effect, and advise that an inspection or an audit may be carried out, and that the driver or carrier may be required to attend an interview with an officer of the Highway Safety Division if further demerit points are attributed to the driver or carrier;
 - (c) at the third level review, where a driver's or a carrier's accumulated demerit points exceed 85% but do not exceed 100% of the driver's or carrier's maximum allowable accumulated demerit points, notify the driver or carrier in writing to that effect, and advise that an inspection or an audit may be carried out, and that the driver or carrier is required to attend an interview with an officer of the Highway Safety Division, on the date and place specified in the notice; or
 - (d) at the fourth level review, where a driver's or a carrier's maximum allowable accumulated demerit points exceed 100% impose or issue one or more of the following:
 - (i) a conditional or an unsatisfactory safety rating,
 - (ii) suspension of the vehicle registration,
 - (iii) suspension of the class of license,
 - (iv) suspension of the license plate or plates,
 - (v) suspension of the vehicle or vehicles,
 - (vi) probation,
 - (vii) a summary offence ticket.
- Appeal (5) Where the Registrar imposes one or more of the sanctions listed in clause (4)(d) on a driver or a carrier, the driver or carrier may, by notice in writing, request an appeal to the Registrar within 30 days of the date of the imposition of the sanction.

(6) Where a request for an appeal has been made by a driver or a carrier within the stipulated time-frame, the Registrar shall afford an appeal hearing before an appeal board consisting of the Director, the Highway Safety Co-ordinator, and the Deputy Registrar or any other person authorized by the Registrar, and the decision of the board is final. *Idem*

5. (1) The Registrar may not register a commercial vehicle in the name of a driver or a carrier who operates the vehicle unless the driver or carrier holds or has been issued Registration of commercial vehicle

- (a) a duplicate license number plate and replacement validation sticker for the current calendar year;
- (b) a subsisting and valid vehicle permit; and
- (c) a subsisting and valid safety rating certificate.

(2) An application for a safety rating certificate referred to in subsection (1) must be made on the form prescribed by the Registrar and include Safety rating certificate

- (a) proof of valid vehicle insurance;
- (b) proof of incorporation or partnership registration and driver license numbers of all principals, officers, directors and partners of the business;
- (c) a declaration that contains the following statements and information:
 - (i) certification that the information contained in the application is true,
 - (ii) acceptance of responsibility by the driver or carrier relating to legal requirements for the operation of commercial vehicles,
 - (iii) confirmation of whether any principal, director, officer or partner of a driver or a carrier has a safety rating certificate from the province or equivalent from any other jurisdiction, and if such certificate is unsatisfactory, details surrounding the revocation of the certificate or its equivalent;
- (d) a certified copy of the driver's or carrier's operating record from any other jurisdiction where the carrier has been issued a safety rating certificate or equivalent where the driver or carrier is moving its operation from another jurisdiction to the province;
- (e) a list of all existing trade or business names being operated under;
- (f) a list of all commercial vehicles owned or operated by the applicant including the year, make, plate number and vehicle identification number;
- (g) a list of all drivers employed, if the applicant is a carrier, including names, dates of birth, license numbers and license jurisdictions;
- (h) all transportation services provided by the applicant;
- (i) a statement as to whether the applicant intends to transport dangerous goods in the vehicle, if applicable; and
- (j) any other information considered necessary by the Registrar.

<i>Idem</i>	(3) The safety rating certificate issued by the Registrar for a driver or a carrier shall contain <ul style="list-style-type: none">(a) the name of the driver or carrier;(b) the driver's or carrier's safety rating at the time the certificate is issued;(c) the date the certificate is issued; and(d) any other information considered necessary by the Registrar.
Offence	(4) No person shall make a false statement in an application under subsection (2).
False statement	(5) Where a person makes a false statement in an application under subsection (2), the Registrar may <ul style="list-style-type: none">(a) revoke any safety rating certificate that has been issued to a driver or a carrier; and(b) cancel any number plates and vehicle permits that have been issued to a driver or a carrier.
Revocation of safety rating certificate	(6) Where the Registrar has revoked a safety rating certificate, the driver or carrier shall return to the Registrar within ten calendar days from the date of revocation, all number plates and vehicle permits.
Facility audit	6. (1) The Registrar or a person authorized by the Registrar may, on the request of a carrier and on the payment of the fee specified in subsection (2), conduct a facility audit of a carrier.
Fee	(2) The fee for a facility audit of a carrier is \$30 per hour.
Demerit point accumulations	(3) Demerit point accumulations resulting from a facility audit of a carrier are outlined in Schedule 2.
Records for facility audit	7. For the purposes of a facility audit, each carrier shall maintain <ul style="list-style-type: none">(a) the following records for each driver who operates a commercial vehicle on the carrier's behalf:<ul style="list-style-type: none">(i) the driver's employment application,(ii) an annual certified abstract of the driver's operating record obtained from the Registrar,(iii) the class of license held by the driver,(iv) the medical records of the driver,(v) the training and special qualifications of the driver, with expiry dates,(vi) the hours of service worked by each driver,(vii) all summary or indictable convictions for driving offences or <i>Criminal Code</i> (Canada) driving offences for each commercial vehicle driver,(viii) all traffic accidents in which the driver was involved,(ix) the driver's Trip Inspection Reports,(x) the driver's receipts for on-road travel;(b) for each commercial vehicle owned or operated by the carrier:

- (i) records of all vehicle maintenance and inspection procedures carried out in accordance with the Commercial Vehicle Trip Inspection and (Records) Regulations, and the Motor Vehicle Inspection Regulations,
- (ii) records of any notice of defect received from the vehicle manufacturer, and proof that the defects have been corrected,
- (iii) fuel receipts, bills of lading and shipping documents,
- (iv) CVSA Inspections Reports;
- (c) the results of CVSA Inspections;
- (d) the carrier's policy and procedures for driver management and vehicle maintenance; and
- (e) any other records considered necessary by the Registrar to determine the safety rating of a carrier.
8. (1) Every carrier shall maintain records in accordance with section 7 for the current calendar year and four calendar years thereafter. Retention of Records
- (2) Notwithstanding subsection (1), where a carrier is under sanction under section 4, the Registrar may require the carrier to maintain records in accordance with section 7 for a period in excess of the time stipulated under subsection (1). Carrier under sanction
9. (1) The records required to be maintained by the carrier under section 145 of the Act and section 7 of these regulations shall be kept and made available at the carrier's main place of business within the province. Location of records
- (2) Where a carrier's main place of business within the province is changed, the carrier shall provide notice of the change to the Registrar within ten calendar days. Notification of change
- (3) Where a carrier's name is changed, or where there is a change in the officers, directors, or principals of the carrier's business, the carrier shall provide notice of any change to the Registrar within ten calendar days. *Idem*
10. Where a facility audit or an inspection is conducted outside the province, the carrier shall pay any costs incurred by the Department in carrying out a facility audit or an inspection of the carrier. Cost of audit outside province
11. (1) The records required to be maintained under section 7 shall be made available for inspection within two business days from the date the request was made by the Registrar, and shall be available for inspection during the carrier's normal business hours at the location described in section 9. Inspection of records
- (2) Where the Registrar or a person authorized by the Registrar is conducting a facility audit, the Registrar or the person authorized by the Registrar may remove any record produced as a result of an audit for the purposes of making copies or taking extracts, together with any Removal of records

equipment, hardware, software or any other thing necessary to enable access to records.

List of materials removed

(3) The Registrar or a person authorized by the Registrar shall provide a detailed list of all materials removed from the carrier's main place of business and return the materials to the carrier upon completion of the facility audit.

Offences

12. No person shall

- (a) alter, deface, destroy, or otherwise falsify any records required to be maintained;
- (b) obstruct or prevent any person authorized to carry out a facility audit from entering the carrier's premises for the purposes of inspecting the carrier's records or any of the carrier's commercial vehicles;
- (c) obstruct any person authorized to carry out a facility audit;
- (d) fail to maintain required records; or
- (e) fail to produce required records for a facility audit.

Sanctions

13. Where the Registrar or a person authorized by the Registrar has reasonable grounds to believe that an offence has occurred as a result of a facility audit, the Registrar or the person authorized by the Registrar may impose one or more of the following sanctions on a carrier:

- (a) issue a summary offence ticket;
- (b) assign a conditional or an unsatisfactory safety rating;
- (c) suspend the carrier's vehicle registration privileges;
- (d) suspend the carrier's license plates;
- (e) suspend the carrier's vehicle; or
- (f) place the carrier on probation for a period of time during which the carrier must show improvement in the carrier's safety rating record.

Commencement

14. These regulations come into force on January 28, 2006.

PRINCE EDWARD ISLAND
HIGHWAY SAFETY DIVISION

SCHEDULE 1
COLLISION AND INSPECTION RESULTS

Type of Collision	Demerit Points
Not at Fault	0
At Fault Collision	
Property Damage	2
Injury	4
Fatality	6
CVSA Roadside Inspection Results	Demerit Points
Pass	0
Warning	1
Out of Service	3

SCHEDULE 2
FACILITY AUDIT RESULTS

Facility Audit Results	Demerit Points
Complaint	0
Action Required	1
Non-complaint	3

SCHEDULE 3
TABLE OF ACTION LEVELS FOR POINTS ACCUMULATED
RELATIVE TO CARRIER FLEET SIZE

Fleet-size	Advisory 25%	Warning 60%	Interview 85%	Show-cause Hearing and Sanction 100%
1	4	10	14	16
2	6	13	19	22
3	7	16	22	26
4	7	17	25	29
5	8	19	26	31
6	9	20	29	34
7	9	22	31	36
8	10	23	32	38
9	10	23	33	39
10	10	25	35	41
11	11	26	37	43
12	11	26	37	44
13	12	28	39	46

14	12	28	40	47
15	12	29	42	49
16	13	30	43	50
17	13	31	44	52
18	13	32	45	53
19	14	33	47	55
20	14	34	48	56
21	14	34	48	57
22	15	35	50	59
23	15	36	51	60
24	15	37	52	61
25	16	38	54	63
26	16	38	54	64
27	16	39	55	65
28	17	40	56	66
29	17	41	60	68
30	17	41	59	69
31	18	42	60	70
32	18	43	60	71
33	18	43	61	72
34	19	44	63	74
35	19	45	64	75
36	19	46	65	76
37	19	46	65	77
38	20	47	66	78
39	20	48	68	80
40	20	49	69	81
41	21	50	70	82
42	21	50	71	83
43	21	50	71	84
44	21	51	72	85
45	22	52	74	87
46	22	53	75	88
47	22	53	76	89
48	23	54	77	90
49	23	55	77	91
50	23	56	79	93
51	24	56	80	94
52	24	57	81	95
53	24	58	82	96
54	24	58	82	97
55	25	59	83	98
56	25	59	84	99
57	25	60	85	100
58	25	61	86	101
59	26	62	88	103
60	26	62	88	104
61	26	63	89	105
62	27	64	90	106
63	27	64	91	107
64	27	65	92	108
65	27	65	93	109
66	28	66	94	110
67	28	67	94	111
68	28	68	96	113

69	29	68	97	114
70	29	69	98	115
71	29	70	99	116
72	29	70	99	117
73	30	71	100	118
74	30	71	101	119
75	30	72	102	120
76	30	73	103	121
77	31	73	104	122
78	31	74	105	123
79	31	75	106	125
80	32	76	107	126
81	32	76	108	127
82	32	77	109	128
83	32	77	110	129
84	33	78	111	130
85	33	79	111	131
86	33	79	112	132
87	33	80	113	133
88	34	80	114	134
89	34	81	115	135
90	34	82	116	136
91	35	83	117	138
92	35	83	118	139
93	35	84	119	140
94	35	85	120	141
95	36	85	121	142
96	36	86	122	143
97	36	86	122	144
98	36	87	123	145
99	37	88	124	146
100	37	88	125	147

EXPLANATORY NOTES

SECTION 1 defines terms used in these regulations.

SECTION 2 provides for the adoption of codes and standards respecting commercial motor vehicles and respecting drivers or carriers of commercial motor vehicles.

SECTION 3 outlines a safety rating record for drivers or carriers and outlines rating factors and categories used within the safety rating record. The provision authorizes the Registrar to review the safety rating of a driver or a carrier and provides for the release of safety rating records to any interested person.

SECTION 4 provides for sanction of a driver or a carrier and outlines the process for an appeal.

SECTION 5 outlines the process for obtaining a safety rating certificate by a driver or a carrier.

SECTION 6 provides for the conducting of a facility audit by the Registrar or a person authorized by the Registrar.

SECTION 7 outlines the driver's records required to be maintained by a carrier for the purposes of a facility audit.

SECTION 8 outlines the time-frame required for the retention of records by a carrier.

SECTION 9 outlines the location where records are to be maintained by a carrier.

SECTION 10 outlines who is responsible for payment of a facility audit conducted outside the province.

SECTION 11 provides for the inspection and removal of records by the Registrar when conducting a facility audit.

SECTION 12 outlines offence provisions.

SECTION 13 authorizes sanctions that may be imposed on a carrier by the Registrar or a person authorized by the Registrar.

SECTION 14 provides for the commencement of these regulations.

Certified a true copy,

W. Alexander (Sandy) Stewart
Clerk of the Executive Council

PART II
REGULATIONS INDEX

Chapter Number	Title	Original Order Reference	Amendment	Authorizing Order and Date	Page
E-9	Environmental Protection Act Water Well Regulations	EC188/90	s.1(s.1) [added] s.12(1) s.12(2)(a) Schedule E [eff] Jan. 28/06	EC2006-19 (17.01.06)	9
H-5	Highway Traffic Act Commercial Driver, Carrier and Audit Review Systems Regulations		[new] [eff] Jan. 28/06	EC2006-21 (17.01.06)	10-22