

# Royal Gazette

Prince Edward Island

Postage paid in cash at First Class Rates

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**PUBLISHED BY AUTHORITY**

**VOL. CXXXII - NO. 26**

**Charlottetown, Prince Edward Island, July 1, 2006**

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**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:

<b>Estate of: Date of the Advertisement</b>	<b>Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)</b>	<b>Place of Payment</b>
BOZICK, Ruby Mary Summerside (Formerly of Tignish) Prince Co., PE July 1st, 2006 (26-39)*	Lorraine Kerwin (EX.)	McLellan Brennan PO Box 35 Summerside, PE
FRASER, Cyril Albert Bathurst Gloucester Co., NB July 1st, 2006 (26-39)*	Marie Marina Fraser (EX.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
GALLANT, Alyre Francis Piusville Prince Co., PE July 1st, 2006 (26-39)*	Louise Richard (EX.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
JENKINS, Joyce Charlottetown Queens Co., PE July 1st, 2006 (26-39)*	Paul Barber CIBC Trust Corporation (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
LIDSTONE, Gordon Elwood Crapaud Queens Co., PE July 1st, 2006 (26-39)*	Linda Bernice Lidstone-Irving (EX.)	Reagh & Reagh 17 West Street Charlottetown, PE

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

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**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
WALSH, George E. Souris Kings Co., PE July 1st, 2006 (26-39)*	Leroy Walsh (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE
RICHARDS, Maureen Margaret St. Anne's Queens Co., PE July 1st, 2006 (26-39)*	Linda Ann Jeanine Richards Gary Michael Richards (AD.)	Ian W. H. Bailey PO Box 1850 Charlottetown, PE
BELL, Lorne Alexander Belle River Queens Co., PE June 24th, 2006 (25-38)	Miriam Bell (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE
WAITE, Erskine James Sherbrooke Prince Co., PE June 24th, 2006 (25-38)	Roger E. Waite Barbara Waite Shelley Prendergast(EX.)	Ramsay & Clark PO Box 96 Summerside, PE
WHITE, Winston C. Murray River Kings Co., PE June 24th, 2006 (25-38)	Doris M. White (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
COLE, Edward Andrews Mayfield Queens Co., PE June 24th, 2006 (25-38)	Carol ColeFoster Elizabeth Gothreau (AD.)	Hennessey MacKenzie PO Box 38 Charlottetown, PE
KEOUGH, Raymond G. Christophers Cross Prince Co., PE June 24th, 2006 (25-38)	Winston Keough (AD.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
BOLGER, Joseph Edward Vernon Winsloe Queens Co., PE June 17th, 2006 (24-37)	Anne-Marie Bolger (EX.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
GALLANT, Ella Hester Miscouche Prince Co., PE	Marion (Molly) I. Hogan Paul Hogan (EX.)	McLellan Brennan PO Box 35 Summerside, PE

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Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (EX) Administrator/Administratrix (AD)	Place of Payment
June 17th, 2006 (24-37) HARRIS, Katie May (also known as May Kathryn Harris) Stratford Queens Co., PE (Formerly of Windsor, ON) June 17th, 2006 (24-37)	Bev Sheryer (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MacFARLANE, Murray L. (QC) Charlottetown Queens Co., PE June 17th, 2006 (24-37)	Beverley MacFarlane Charles Keliher (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MacKEEMAN, Harriet Helen Hunter River RR#1 Queens Co., PE June 17th, 2006 (24-37)	Judy MacKeeman (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE
McGUIGAN, Harold Eldon Queens Co., PE June 17th, 2006 (24-37)	Shirley Dougherty Sylvia Knox (EX.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
MORRISON, James Wallace Alberton Prince Co., PE June 17th, 2006 (24-37)	Barry Morrison (EX.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
WISE, Helen Charlottetown Queens Co., PE June 17th, 2006 (24-37)	Isobel DeBlois Diane Wilkins (EX.)	Cox Hanson O'Reilly Matheson PO Box 875 Charlottetown, PE
MacCaull, John Anthony Bideford Prince Co., PE June 17th, 2006 (24-37)	Gladys Priscilla MacCaull (AD.)	Ramsay & Clark PO Box 96 Summerside, PE
MacINNIS, Anne Josephine Vernon Bridge Queens Co., PE June 17th, 2006 (24-37)	Kenneth MacInnis Sharon Moore (AD.)	Macnutt & Dumont PO Box 965 Charlottetown, PE

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MacINNIS, Harold R. Vernon Bridge Queens Co., PE June 17th, 2006 (24-37)	Kenneth MacInnis Sharon Moore (AD.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
McGUIGAN, Charles Iona Queens Co., PE June 17th, 2006 (24-37)	Kenneth MacInnis Sharon Moore (AD.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
McGUIGAN, Clara Katherine Ocean View Queens Co., PE June 17th, 2006 (24-37)	Shirley Dougherty (AD.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
McGUIGAN, James Lewis Ocean View Queens Co., PE June 17th, 2006 (24-37)	Kenneth McGuigan (AD.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
McGUIGAN, John Wilfred "Lorne" Camrose Alberta June 17th, 2006 (24-37)	Kenneth MacInnis Sharon Moore (AD.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
McGUIGAN, Margaret Jane Iona Queens Co., PE June 17th, 2006 (24-37)	Kenneth MacInnis Sharon Moore (AD.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
McGUIGAN, Theodore Charles Iona Queens Co., PE June 17th, 2006 (24-37)	Kenneth MacInnis Sharon Moore (AD.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
BRADSHAW, Rand Summerside Prince Co., PE June 10th, 2006 (23-36)	Susan Serbert (EX.)	Lyle & McCabe PO Box 300 Summerside, PE
CHAMBERS, Joshua William Charlottetown Queens Co., PE	Brian Chambers Ronald Chambers (EX.)	Crane & Hornby 142 Longworth Ave. Charlottetown, PE

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Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
June 10th, 2006 (23-36)		
CLOW, John Alfred Grand Tracadie Queens Co., PE June 10th, 2006 (23-36)	Marven C. Clow (EX.)	T. Daniel Tweel 105 Kent Street Charlottetown, PE
DOBSON, Susanne Louise Kingston Queens Co., PE June 10th, 2006 (23-36)	Michael J. Doyle (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
GALLANT, James Leo Cornwall Queens Co., PE June 10th, 2006 (23-36)	Brendan Griffin (EX.)	Law Office of E. W. Scott Dickieson PO Box 1453 Charlottetown, PE
HENDER, Douglas J. Stratford Queens Co., PE June 10th, 2006 (23-36)	E. Jean Hender (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE
HUESTIS, Eldon Major Carmen Summerside Prince Co., PE June 10th, 2006 (23-36)	Lynn Perry Merle Skidmore (EX.)	Law Office of Kathleen Loo Craig PO Box 11 Summerside, PE
WOOD, Jean Alexandra Wilmot Annapolis Co., NS (Formerly of Summerside, Prince Co., PE) June 10th, 2006 (23-36)	June Elizabeth Fleming Bessie Aleah Lasseter (EX.)	Lyle & McCabe PO Box 300 Summerside, PE
ROPER, Harold George Charlottetown Queens Co., PE June 10th, 2006 (23-36)	Mary Roper (AD.)	Foster Hennessey MacKenzie PO Box 38 Charlottetown, PE
GREEN, Helena Crapaud Queens Co., PE June 3rd, 2006 (22-35)	Paula Smith Joanne Campbell (EX.)	Key McKnight & Maynard PO Box 1570 Summerside, PE

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GRIMMETT, David Lee Charlottetown Queens Co., PE June 3rd, 2006 (22-35)	Elizabeth Grimmett (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
HAYES, Minerva Annie Summerside Prince Co., PE June 3rd, 2006 (22-35)	Catherine Nina Spencer (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
BENOIT, Amable Joseph East Quoddy Nova Scotia May 27th, 2006 (21-34)	Viola Mary Benoit (EX.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
BROOKS, D. Ray Murray Harbour Kings Co., PE May 27th, 2006 (21-34)	Arnett Reynolds Ronald MacNeill (EX.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
LING, Victor S. Charlottetown Queens Co., PE May 27th, 2006 (21-34)	Veda Ling Carolyn Down (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
MacMILLAN, Ruth Harriet Charlottetown Queens Co., PE May 27th, 2006 (21-34)	G. Allison MacMillan Marian Stevenson-Johnston (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
ARSENAULT, Ronald Joseph Bloomfield Prince Co., PE May 20th, 2006 (20-33)	Theresa Mary Arsenault (EX.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
BLUE, Angus Murray Oshawa Ontario May 20th, 2006 (20-33)	Isabelle Blue (EX.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
CONNICK, Sadie Jane Charlottetown Queens Co., PE	Brenton MacLeod Clinton Connick (EX.)	Campbell Lea PO Box 429 Charlottetown, PE

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May 20th, 2006 (20-33)		
DONLE, Carolyn B. Atkinson Rockingham County New Hampshire, USA May 20th, 2006 (20-33)	Mary Louise Kendrick (EX.)	E. W. Scott Dickieson Law Office PO Box 1453 Charlottetown, PE
HARRIS, John Gerald Orleans Ottawa-Carleton, Ontario May 20th, 2006 (20-33)	Heather Jean Anne Harris (EX.)	McLellan Brennan PO Box 35 Summerside, PE
HUGHES, Mary Florence Elizabeth Summerside Prince Co., PE May 20th, 2006 (20-33)	Myra Gillis (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
MacEWEN, Harvey Stirling Charlottetown Queens Co., PE (Formerly of Bristol, Kings Co., PE) May 20th, 2006 (20-33)	Edith Zila MacEwen Walter Davis MacEwen (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
MacKINNON, Mary Jeanette Churchill Queens Co., PE May 20th, 2006 (20-33)	W. Wayne MacKinnon J. Sheldon MacKinnon (EX.)	T. Daniel Tweel PO Box 3160 Charlottetown, PE
MacLELLAN, John A. "Al" Charlottetown Queens Co., PE May 20th, 2006 (20-33)	Robert MacLellan Gregory MacLellan (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
MARTIN, Mary Emily (also known as Emily Mary Martin) Charlottetown Queens Co., PE May 20th, 2006 (20-33)	J. Alyre Martin Thomas J. Martin (EX.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
RENNIE, Gary Elwood Alberton RR#1 Prince Co., PE May 20th, 2006 (20-33)	Constance Marie Rennie (EX.)	Lyle & McCabe PO Box 300 Summerside, PE

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ROBERTS, Herbert Arthur Hopedale, Hunter River RR Queens Co., PE May 20th, 2006 (20-33)	Christine Louise Belanger Owen John Roberts (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
ARSENAULT, Henry Summerside Prince Co., PE May 20th, 2006 (20-33)	Joseph Arthur Arsenault (AD.)	Patterson Palmer 82 Summer Street Summerside, PE
GAUDET, Mary Blanche Summerside Prince Co., PE May 20th, 2006 (20-33)	Joseph Arthur Arsenault (AD.)	Patterson Palmer 82 Summer Street Summerside, PE
MacDONALD, James Douglas Charlottetown Queens Co., PE May 20th, 2006 (20-33)	Scott Douglas MacDonald (AD.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
MacDONALD, Lemuel Brae Prince Co., PE May 20th, 2006 (20-33)	Raymond D. MacDonald (AD.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
BLUE, Lilly T. Little Sands Queens Co., PE May 13th, 2006 (19-32)	Neil MacNeill (EX.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
GRIFFIN, Darlene Marie Charlottetown 138 St. Peters Road Queens Co., PE May 13th, 2006 (19-32)	Burlin Griffin (EX.)	Birt & McNeill
HERBST, Jeanne Ruzsala Haddam Connecticut, USA May 13th, 2006 (19-32)	John F. Herbst (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
HYNES, Joseph Elmer Ottawa	Michael Hynes Martin Leonard Hynes	Cox Hanson O'Reilly Matheson PO Box 875



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Ontario May 13th, 2006 (19-32)	Elise Jane Hynes (EX.)	Charlottetown, PE
MacLEOD, Hubert Angus Souris (formerly of Mount Hope) Kings Co., PE May 13th, 2006 (19-32)	Katherine (Kaye) MacLeod (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE
BURRELL, James Andrew Summerside Prince Co., PE May 6th, 2006 (18-31)	Priscilla Beatrice Burrell (EX.)	David R. Hammond, QC 740A Water Street E. Summerside, PE
CAIRNS, Theresa Gertrude Charlottetown Queens Co., PE May 6th, 2006 (18-31)	David Cairns (EX.)	T. Daniel Tweel PO Box 3160 Charlottetown, PE
FROST, Lloyd George Summerside Prince Co., PE May 6th, 2006 (18-31)	Margaret Phillips (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
JARDINE, Earl Russell Charlottetown Queens Co., PE May 6th, 2006 (18-31)	Austin Hugh Jardine (EX.)	T. Daniel Tweel PO Box 3160 Charlottetown, PE
CLOW, Joseph W. Stratford Queens Co., PE May 6th, 2006 (18-31)	Deborah Margaret Ann Clow (AD.)	Ian Bailey Law Office PO Box 1850 Charlottetown, PE
ARSENAULT, Catherine Mary Maximville Prince Co., PE April 22nd, 2006 (16-29)	Richard Arsenault Barry Arsenault William Arsenault (EX.)	Key McKnight & Maynard PO Box 1570 Summerside, PE
ARSENAULT, Gerard Joseph Maximville Prince Co., PE April 22nd, 2006 (16-29)	Richard Arsenault Barry Arsenault William Arsenault (EX.)	Key McKnight & Maynard PO Box 1570 Summerside, PE

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BROWN, James Leonard Charlottetown Queens Co., PE April 22nd, 2006 (16-29)	Andrea Baker (EX.)	Foster Hennessey MacKenzie PO Box 38 Charlottetown, PE
CAMERON, Keith Douglas Summerside Prince Co., PE April 22nd, 2006 (16-29)	Mae Cameron (EX.)	Key McKnight & Maynard PO Box 1570 Summerside, PE
CAMPBELL, Charles Augustine Souris Kings Co., PE April 22nd, 2006 (16-29)	Phyllis D. Campbell (EX.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
CARMICHAEL, Ronald Urban Stratford Queens Co., PE April 22nd, 2006 (16-29)	Julie Jackson Margaret Scotto (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
CORKUM, Gertrude Irene Summerside Prince Co., PE April 22nd, 2006 (16-29)	Charles James Corkum (EX.)	McLellan Brennan PO Box 35 Summerside, PE
FEEHAN, Carol Ann Suffolk Queens Co., PE April 22nd, 2006 (16-29)	Richard G. Feehan (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
HALMAN, Nicholas Rudolphus Glenfinnan Queens Co., PE April 22nd, 2006 (16-29)	Martin Halman Bethany (Betty Halman) Stutvoet (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
HOOPER, Florence Frances Charlottetown Queens Co., PE April 22nd, 2006 (16-29)	Larry Keith Hooper Karen Dawn Praught (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE
JENKINS, Alma Greta Stratford Queens Co., PE April 22nd, 2006 (16-29)	Janet MacDonald Marilyn Hogg (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE

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LING, Glenda Vessie Charlottetown Queens Co., PE April 22nd, 2006 (16-29)	Judith Elizabeth (Ling) Tweel Myron Lester Ling (EX.)	Catherine M. Parkman Law Office PO Box 1056 Charlottetown, PE
MacDONALD, Cheryl Joan Wood Islands West Queens Co., PE April 22nd, 2006 (16-29)	Albert West MacDonald (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
MacDONALD-CHOWEN, Norma Lottie Cornwall Queens Co., PE April 22nd, 2006 (16-29)	Linda Kirkpatrick Ferne Gorveatt (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MacFARLANE, Eva Mary Charlottetown Queens Co., PE April 22nd, 2006 (16-29)	John David MacFarlane Mary Nancy Giddings (EX.)	Donald Schurman 155A Arcona Street Summerside, PE
MATTHEWS, Norma E. Greenfield Park Quebec April 22nd, 2006 (16-29)	John G. Easson (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MOASE, Rosemary Frances Viola (Condon) New Annan Prince Co., PE April 22nd, 2006 (16-29)	Karen Anne Condon (EX.)	Lyle & McCabe PO Box 300 Summerside Prince Co., PE
O'BRIEN, Matilda (Tillie) Brae Prince Co., PE April 22nd, 2006 (16-29)	Raymond MacDonald Hilda O'Brien (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
PETERS, Mary Lavenia (also known as Mary Levenia Peters and as Venie Peters) Charlottetown Queens Co., PE April 22nd, 2006 (16-29)	Ronald Peters Pauline Peters (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE

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SMITH, Kevin L. Charlottetown Queens Co., PE April 22nd, 2006 (16-29)	Wade A. Smith (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
TURNER, Ivan George Winsloe South Queens Co., PE April 22nd, 2006 (16-29)	Myron I. Turner Brian D. Turner Roberta M. Giddings (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
TURNER, Kathleen Elizabeth Winsloe South Queens Co., PE April 22nd, 2006 (16-29)	Myron I. Turner Brian D. Turner Roberta M. Giddings (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
GALLANT, Chad Raymond Arthur O'Leary Prince Co., PE April 22nd, 2006 (16-29)	Edna Gallant (AD.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
MILLIGAN, Raymond S. McNeills Mills Prince Co., PE April 22nd, 2006 (16-29)	Mary Milligan (AD.)	Ramsay & Clark PO Box 96 Summerside, PE
ROCHFORD, Mary Alberton Prince Co., PE April 22nd, 2006 (16-29)	Pamela Richard Tracey Gaudet (AD.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
ROCHFORD, Patrick Alberton Prince Co., PE April 22nd, 2006 (16-29)	Pamela Richard Tracey Gaudet (AD.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
GALLANT, John Anthony (Tony) Stratford Queens Co., PE April 15th, 2006 (15-28)	Alan Pius MacDonald (EX.)	Cox Hanson O'Reilly Matheson PO Box 875 Charlottetown, PE
MacDONALD, Elwood Charles Little Pond Kings Co., PE April 15th, 2006 (15-28)	Diane Woodgate (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE

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BIRCH, Rosella Dorothy Miscouche RR#1 Prince Co., PE April 8th, 2006 (14-27)	Carol Ann Balsom (EX.)	Key McKnight & Maynard PO Box 1570 Summerside, PE
CAVALLARO, Frank (also known as Frank J. Cavallaro) Sullivan, Madison County New York, USA April 8th, 2006 (14-27)	Karen M. Haynes (EX.)	Lyle & McCabe PO Box 300 Summerside, PE
GALLANT, Aldona Mary Summerside Prince Co., PE April 8th, 2006 (14-27)	John David Gallant (EX.)	McLellan Brennan PO Box 35 Summerside, PE
GILLIS, Chester Davis Point Prim Queens Co., PE April 8th, 2006 (14-27)	Gilbert Gillis (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MacALLISTER, Borden Russell Clinton Queens Co., PE April 8th, 2006 (14-27)	Owen Green (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
MacDONALD, Mary Kathleen Charlottetown Queens Co., PE April 8th, 2006 (14-27)	James G. MacDonald Reginald G. MacDonald (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
MAVRIKAKIS, Suzanne Simard Saint Hubert Quebec April 8th, 2006 (14-27)	Michel Mavrikakis (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
TESTINI, Donna M. Smithtown, Suffolk County New York, USA April 8th, 2006 (14-27)	Deanna Mirabile (EX.)	Paul J. D. Mullin, QC PO Box 604 Charlottetown, PE

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WOODLEY, Donald Glen William Kings Co., PE April 8th, 2006 (14-27)	Sherry Woodley Shawn Woodley (EX.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
DOIRON, Joseph Clifford Mayfield Queens Co., PE April 8th, 2006 (14-27)	Eileen Agnes Cust (AD.)	E. W. Scott Dickieson Law Office PO Box 1453 Charlottetown, PE
GALLANT, Gina Marie Summerside Prince Co., PE April 8th, 2006 (14-27)	Vincent Gallant (AD.)	Robert McNeill 251 Water Street Summerside, PE
MacDONALD, David Ernest Halifax Nova Scotia April 8th, 2006 (14-27)	Gordon MacDonald (AD.)	Lyle & McCabe PO Box 300 Summerside, PE
GORMLEY, Emerentienne (Emmy) Murray River Kings Co., PE April 1st, 2006 (13-26)	Gary Gormley (EX.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
JOHNSTON, Roderick Ronald James Little Harbour Kings Co., PE April 1st, 2006 (13-26)	Daniel Jarvis (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
MacEWEN, Roy George Midgell Kings Co., PE April 1st, 2006 (13-26)	Mark MacEwen Blois Dingwell (EX.)	Birt & McNeill 138 St. Peters Road
THOMSON, Wallace Alexander Charlottetown Queens Co., PE April 1st, 2006 (13-26)	Janice Thomson Landry (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE

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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
URBAN, George Joseph (Sr.) Windsor County of Hartford Connecticut, USA April 1st, 2006 (13-26)	June Frances Urban (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE
VON LEDEBUR, Baroness Gudrun Katharina Summerside Prince Co., PE April 1st, 2006 (13-26)	Ruth March (EX.)	Law Office of Kathleen Loo Craig PO Box 11 Summerside, PE
BLUE, Alexander Little Sands Queens Co., PE April 1st, 2006 (13-26)	Lila Garrett (AD.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
BRYAN, Martha Maude Souris Kings Co., PE April 1st, 2006 (13-26)	Albert Quinan (AD.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
BRYAN, Roland J. Gardner Worcester Co. Massachusetts, USA April 1st, 2006 (13-26)	Albert Quinan (AD.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE

The following orders were approved by His Honour the Lieutenant Governor in Council dated 21 June 2006.

**EC2006-339**

**PRINCE EDWARD ISLAND BUSINESS DEVELOPMENT INC. ACT  
BOARD OF DIRECTORS  
APPOINTMENTS**

Pursuant to clause 2(2)(d) of the *Prince Edward Island Business Development Inc. Act* R.S.P.E.I. 1988, Cap. B-6.2, Council made the following appointments:

<b>NAME</b>	<b>TERM OF APPOINTMENT</b>
Tom DeBlois Charlottetown	16 May 2006 to 30 June 2007
Dennis Gallant Bloomfield (reappointed)	30 June 2006 to 30 June 2007
James C. Johnston Brudenell (reappointed)	30 June 2006 to 30 June 2007

**EC2006-344**

**FATHERS OF CONFEDERATION BUILDINGS ACT  
FATHERS OF CONFEDERATION BUILDINGS TRUST  
APPOINTMENT**

Pursuant to subsection 3(2) of the *Fathers of Confederation Buildings Act* R.S.P.E.I. 1988, Cap. F-6 Council made the following appointment:

<b>NAME</b>	<b>TERM OF APPOINTMENT</b>
George Kitching Ontario (reappointed)	31 July 2006 to 31 July 2009



## EC2006-359

**PUBLIC DEPARTMENTS ACT  
DEPARTMENT OF EDUCATION  
ACTING DEPUTY MINISTER  
APPOINTMENT**

Pursuant to subsection 7(1) of the *Public Departments Act* R.S.P.E.I. 1988, Cap. P-29, Council appointed Ken MacRae to serve as Acting Deputy Minister of Education effective 19 June 2006 and continuing during the absence from the office of Shauna Sullivan Curley.

## EC2006-360

**SOCIAL ASSISTANCE ACT  
SOCIAL ASSISTANCE APPEAL BOARD  
APPOINTMENTS**

Pursuant to section 5 of the *Social Assistance Act* R.S.P.E.I. 1988, Cap. S-4.3 Council made the following appointments:

<b>NAME</b>	<b>TERM OF APPOINTMENT</b>
Karen Coughlin Ellerslie (vice Donna Williams, term expired)	21 June 2006 to 21 June 2009
Brenda Doyle Tignish (vice Paul Gaudet, term expired)	21 June 2006 to 21 June 2009
Sue Loucks Charlottetown (reappointed)	6 May 2006 to 6 May 2009
Freda Woodside Kensington (vice Margaret Bradley, term expired)	21 June 2006 to 21 June 2009

Further, pursuant to subsection 5(2) of the said Act, Council reappointed Sue Loucks as chairperson of the Board for the duration of her term as a member.

Signed,

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

**PROCLAMATION**

CANADA

PROVINCE OF PRINCE EDWARD ISLAND

*(Great Seal)*

ELIZABETH THE SECOND, by the  
Grace of God of the United Kingdom,  
Canada and Her other Realms and  
Territories, QUEEN, Head of the  
Commonwealth, Defender of the Faith.

HON. J. LÉONCE BERNARD  
Lieutenant Governor

TO ALL TO WHOM these presents shall come or whom the same may in any wise concern:

GREETING  
A PROCLAMATION

WHEREAS in and by section 8 of Chapter 30 of the Acts passed by the Legislature of Prince Edward Island in the 3rd Session thereof held in the year 2006 and in the fifty-fifth year of Our Reign intituled "An Act to Amend the Emergency 911 Act (No. 2)" it is enacted as follows:

"This Act comes into force on a date that may be fixed by proclamation of the Lieutenant Governor in Council.",

AND WHEREAS it is deemed expedient that the said Act, Stats. P.E.I. 2006, 3rd Session, c. 30 should come into force on the 1st day of July, 2006,

NOW KNOW YE that We, by and with the advice and consent of our Executive Council for Prince Edward Island, do by this Our Proclamation ORDER AND DECLARE that the said Act being "An Act to Amend the Emergency 911 Act (No. 2)" passed in the fifty-fifth year of Our Reign shall come into force on the first day of July, two thousand and six of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these Our Letters to be made Patent and the Great Seal of Prince Edward Island to be hereunto affixed.

WITNESS the Honourable J. Léonce Bernard, Lieutenant Governor of the Province of Prince Edward Island, at Charlottetown this twenty-first day of June in the year of Our Lord two thousand and six and in the fifty-fifth year of Our Reign.

By Command,

W. ALEXANDER (SANDY) STEWART  
Clerk of the Executive Council

**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: O&Y ENTERPRISE  
Owner: O&Y ENTERPRISE LIMITED  
PARTNERSHIP  
Registration Date: June 23, 2006

Name: POINT PRIM CHOWDER HOUSE  
Owner: Linda Ciceri  
Registration Date: June 23, 2006

Name: SASSY'S DELI & DESSERT CAFÉ  
Owner: Sally Bulger  
Registration Date: June 22, 2006  
26

**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: 100775 P.E.I. INC.  
5 Holland Drive  
Stratford, PE C1B 1S9  
Incorporation Date: June 20, 2006

Name: DR. SANJAY MALHOTRA  
PROFESSIONAL CORPORATION  
30 Candlelight Park Drive  
Cornwall, PE C0A 1H0  
Incorporation Date: June 19, 2006

Name: E & M HOLDINGS INC.  
R R # 3  
Belfast, PE C0A 1A0  
Incorporation Date: June 22, 2006  
26

**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: DOUCETTE'S BOAT BUILDING LTD.  
Purpose To increase the authorized capital.  
Effective Date: June 22, 2006

Name: SHERWOOD AUTOHAUS LTD.  
Purpose To increase authorized capital.  
Effective Date: June 22, 2006

Name: WHEATLEY INVESTMENTS INC.  
Purpose To increase the authorized capital.  
Effective Date: June 21, 2006  
26

**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: DISCOVER KIA  
Owner: REIDCO LTD.  
600 North River Road  
Charlottetown, PE C1E 1K1  
Registration Date: June 21, 2006

Name: RYERSON  
Owner: INTEGRIS METALS LTD. METAUX  
INTEGRIS LTEE  
100 King Street West  
1 First Canadian Place  
Toronto, ON M5X 1B8  
Registration Date: June 19, 2006

Name: AUDIOLOGY ASSOCIATES  
Owner: AUDIOMETRIC CONSULTANTS  
MARITIMES LIMITED  
1083 Bog Road  
Falmouth, NS B0P 1L0  
Registration Date: June 20, 2006

Name: LEADERSHIP RESULTS  
Owner: 100770 P.E.I. INC.  
124 Sydney Street  
Charlottetown, PE C1A 1G4  
Registration Date: June 21, 2006

Name: CHANCES SMART START -  
PRINCE STREET  
Owner: CARING, HELPING AND  
NURTURING CHILDREN EVERY  
STEP (C.H.A.N.C.E.S.) INC.  
16 Brighton Road  
Charlottetown, PE C1A 1T4  
Registration Date: June 22, 2006

Name: CHANCES SMART START - ST.  
JEAN  
Owner: CARING, HELPING AND  
NURTURING CHILDREN EVERY  
STEP (C.H.A.N.C.E.S.) INC.  
16 Brighton Road  
Charlottetown, PE C1A 1T4  
Registration Date: June 22, 2006

Name: A TOUCH OF DUTCH AESTHETICS  
Owner: Sharon Vanderzwaag  
Greenvale  
R R # 3  
Hunter River, PE C0A 1N0  
Registration Date: June 20, 2006

Name: B.C. BLUEBERRIES - FIRST  
NATIONS  
Owner: Dewis Cooke  
Box 1651, Summerside, PE C1N 2V5  
Owner: Tim Bernard  
Lennox Island, PE C0B 1P0  
Registration Date: June 19, 2006

Name: CATHY'S JEWELRY CREATIONS  
Owner: Cathy Arsenault  
Roxbury # 12388  
R R # 3, O'Leary, PE C0B 1V0  
Registration Date: June 21, 2006

Name: COLORS COMBINE PAINTING  
Owner: Chad Callaghan  
86 Mariner Drive  
Charlottetown, PE C1C 1M2  
Registration Date: June 22, 2006

Name: GILOMEDIA  
Owner: Avelina (Billy) Firmaco  
24 Humphrey Drive  
Stratford, PE C1B 1K2  
Registration Date: June 23, 2006

Name: INTERLUDE ENTERPRISES  
Owner: Ally Kuo  
88 Kent Street  
Charlottetown, PE C1A 1M8  
Registration Date: June 21, 2006

Name: REDMOND ENTERPRISES  
Owner: Erin Redmond  
Lake Verde, PE C0A 1Z0  
Registration Date: June 21, 2006

Name: ROYAL TANDOOR (INDIAN FINE  
CUISINE)  
Owner: Satish Kumar Sharma  
3665 MacKlem Street  
Niagara Falls, ON L2G 6C8  
Registration Date: June 24, 2006

Name: SASSY'S GRILL & CAFÉ  
Owner: Wilma Paugh  
Box 658  
O'Leary, PE C0B 1V0  
Registration Date: June 23, 2006

Name: THE ICE CREAM SHACK  
Owner: Earla Avery  
76 Richard Drive  
Charlottetown, PE C1A 6Z5  
Registration Date: June 20, 2006

Name: TINY ACRES HOLSTEINS  
Owner: Kathleen Bryanton  
621 Belmont Road  
Lot 16, RR 1  
Miscouche, PE C0B 1T0  
Owner: Lukas Bryanton  
621 Belmont Road  
Lot 16, RR 1  
Miscouche, PE C0B 1T0  
Registration Date: June 20, 2006

Name: WESTISLE COTTAGES  
Owner: Paul Butler  
65 Country View Road  
Anagance, NB E4Z 1C3  
Owner: Frances Butler  
65 Country View Road  
Anagance, NB E4Z 1C3  
Registration Date: June 22, 2006

Name:  
WWW.LOVEOFLIFEGIFTBASKETS.COM  
Owner: Bonnie Reardon  
19 Falconwood Rd., Apt. 3  
Charlottetown, PE C1A 6B6  
Registration Date: June 20, 2006

26

**NOTICE OF  
REVIVED COMPANIES**

Companies Act  
R.S.P.E.I. 1988, Cap. C-14 s.73

Public Notice is hereby given that under the  
*Companies Act* the following companies have  
been revived:

Name: DESROCHES ASSOCIATES  
INTERNATIONAL (1999) INC.  
Effective Date: June 20, 2006

26

**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 had **registration cancelled** for the purpose of solemnizing marriage in the province of Prince Edward Island:

**Rev. Vaden Compton  
Rev. Donald Cooze**

T.A. Johnston  
Director of Vital Statistics

26

**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. J. Alexander B. Clark**  
PO Box 91  
Morell, PE C0A 1S0

T.A. Johnston  
Director of Vital Statistics

26

**NOTICE UNDER THE  
QUIETING OF TITLES ACT**

TAKE NOTICE that **John Lewis & Steve Lewis** of Dartmouth, Province of Nova Scotia, claims to be the absolute owners in fee simple of the lands hereinafter described.

AND FURTHER TAKE NOTICE that an application has been made to the Supreme Court of Prince Edward Island on behalf of the said petitioners to have the title judicially investigated and the validity thereof ascertained and declared to the lands and premises described as:

ALL THAT PARCEL OF LAND, situate, lying or being in lot or township number 39, Kings County, Province of Prince Edward Island, Bounded and described as follows, that is to say:

COMMENCING at a point designated as found survey marker number 59 as shown on a plan of survey prepared by Gulf Surveys Ltd. entitled "Plan of Survey Showing Property of John Lewis and Steve Lewis" dated January 25th, 2006 as drawing number 067226, said found survey marker having coordinates East 552863.20 feet, North 402861.47 feet;

THENCE by a line 252° 17' 31" for the distance of 116.59 feet or to found survey marker number 56, said found survey marker having coordinates East 552752.13 feet, North 402826.01 feet.

THENCE continuing by a line 252° 17' 31" for the distance of approximately 39 feet or to the ordinary high water mark of the west arm of St. Peter's Lake;

THENCE by a line in a northerly direction, westerly direction and northerly direction following the various courses of the ordinary high water mark of the St. Peter's Lake as shown on the said plan of survey to the ordinary high water mark of the Gulf of St. Lawrence;

THENCE by a line in a northeasterly direction following the various courses of the ordinary high water mark of the Gulf of St. Lawrence for the distance of approximately 380 feet or to a point being the northwesterly extension of a line running 289° 27' 03" from found survey marker number 60;

THENCE by a line 109° 27' 03" for the distance of 156 feet or to found survey marker number 60, said found survey marker having coordinates East 552863.18 feet, North 403223.22 feet;

THENCE continuing by a line 109° 27' 03" for the distance of 22.10 feet or to found survey marker number 61, said found survey marker having coordinates East 552884.02 feet, North 403215.86 feet;

THENCE by a line 183° 21' 48" for the distance of 355.0 feet or to the point at the place of commencement.

BEING AND INTENDED TO BE lot 06-1.

CONTAINING 4.42 acres of land a little more or less.

AND FURTHER TAKE NOTICE that if no claim to the lands adverse to that of the petitioners is filed on or before the last mentioned date, a certificate certifying that the petitioners are the legal and beneficial owners in fee simple of the land described aforesaid may be granted pursuant to the provisions of The *Quieting of Titles Act*, R.S.P.E.I 1988.

ANY PERSON CLAIMING ADVERSE TITLE OR INTEREST in said lands are to file notice of the same with the Prothonotary of the Supreme Court of Prince Edward Island, on or before the 14th day of August, A.D. 2006.

DATED at Charlottetown, in Queens County, Province of Prince Edward Island, this 20th day of June, A.D. 2006.

E. W. SCOTT DICKIESON  
Solicitor for the Petitioners

26

### INDEX TO NEW MATTER July 1, 2006

#### ESTATE NOTICES

##### Administrators' Notices

Richards, Maureen Margaret . . . . . 580

##### Executors' Notices

Bozick, Ruby Mary . . . . . 579  
Fraser, Cyril Albert . . . . . 579  
Gallant, Alyre Francis . . . . . 579  
Jenkins, Joyce . . . . . 579  
Lidstone, Gordon Elwood . . . . . 579  
Walsh, George E. . . . . 580

#### COMPANIES ACT NOTICES

##### Granting Letters Patent

100775 P.E.I. Inc. . . . . 597  
Dr. Sanjay Malhotra Professional  
Corporation . . . . . 597  
E & M Holdings Inc. . . . . 597

##### Granting Supplementary Letters Patent

Doucette's Boat Building Ltd. . . . . 597  
Sherwood Autohaus Ltd. . . . . 597  
Wheatley Investments Inc. . . . . 597

##### Revived Companies

DesRoches Associates  
International (1999) Inc. . . . . 598

#### PARTNERSHIP ACT NOTICES

##### Dissolutions

O&Y Enterprise . . . . . 597  
Point Prim Chowder House . . . . . 597  
Sassy's Deli & Dessert Caf  . . . . . 597

##### Registrations

A Touch of Dutch Aesthetics . . . . . 598  
Audiology Associates . . . . . 597  
B.C. Blueberries - First Nations . . . . . 598  
Cathy's Jewelry Creations . . . . . 598  
Chances Smart Start - St. Jean . . . . . 598  
Chances Smart Start - Prince Street . . . . . 597  
Colors Combine Painting . . . . . 598  
Discover KIA . . . . . 597  
Gilomedia . . . . . 598  
Ice Cream Shack, The . . . . . 598  
Interlude Enterprises . . . . . 598  
Leadership Results . . . . . 597  
Redmond Enterprises . . . . . 598  
Royal Tandoor (Indian Fine Cuisine) . . . . . 598  
Ryerson . . . . . 597  
Sassy's Grill & Caf  . . . . . 598  
Tiny Acres Holsteins . . . . . 598  
Westisle Cottages . . . . . 598  
www.loveoflifegiftbaskets.com . . . . . 598

#### APPOINTMENTS

##### Fathers of Confederation Buildings Act

Fathers of Confederation Buildings Trust  
Kitching, George . . . . . 594

##### Prince Edward Island Business

##### Development Inc. Act

Board of Directors  
DeBlois, Tom . . . . . 594  
Gallant, Dennis . . . . . 594  
Johnston, James C. . . . . 594

##### Public Departments Act

Department of Education  
Acting Deputy Minister  
MacRae, Ken . . . . . 595

##### Social Assistance Act

Social Assistance Appeal Board  
Coughlin, Karen . . . . . 595  
Doyle, Brenda . . . . . 595  
Loucks, Sue (Chair) . . . . . 595  
Woodside, Freda . . . . . 595

#### PROCLAMATIONS

An Act to Amend the  
Emergency 911 Act (No. 2) . . . . . 596

MISCELLANEOUS NOTICES

**Marriage Act**

Registered  
Clark, Rev. J. Alexander B. .... 599  
Registration Cancelled  
Compton, Rev. Vaden ..... 599  
Cooze, Rev. Donald ..... 599

**Quieting Titles Act**

Property of  
Lewis, John ..... 599  
Lewis, Steve ..... 599

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The ROYAL GAZETTE is issued every Saturday from the office of Michael Fagan, 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; single copies are \$2.00 each, postpaid or \$1.00 each, over the counter.

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PART II  
**REGULATIONS**

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EC2006-341

**EMERGENCY 911 ACT  
REGULATIONS  
AMENDMENT**

(Approved by His Honour the Lieutenant Governor in Council dated 21 June 2006.)

Pursuant to section 10 of the *Emergency 911 Act* R.S.P.E.I. 1988, Cap. E-5.1, Council made the following regulations:

- 1. The title of the *Emergency 911 Act Regulations (EC155/00)* is amended by the deletion of the word “REGULATIONS” and the substitution of the words “GENERAL REGULATIONS”.**
- 2. Section 10 of the regulations is revoked.**
- 3. These regulations come into force on July 1, 2006.**

**EXPLANATORY NOTES**

**SECTION 1** amends the title of the “Regulations” to “General Regulations”.

**SECTION 2** revokes the fee scheme set out in the regulations as it is no longer needed because of an amendment to the *Emergency 911 Act* which sets out a revised fee scheme.

**SECTION 3** provides for the commencement of these regulations.

Certified a true copy,

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

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## EC2006-342

**EMERGENCY 911 ACT  
911 COST RECOVERY FEES REGULATIONS**

(Approved by His Honour the Lieutenant Governor in Council dated 21 June 2006.)

Pursuant to section 10 of the *Emergency 911 Act* R.S.P.E.I. 1988, Cap. E-5.1, Council made the following regulations:

Act

1. In these regulations, "Act" means the *Emergency 911 Act* R.S.P.E.I. 1988, Cap. E-5.1;

Calculation of amount payable on collection basis

2. (1) Where a telecommunications carrier wishes to pay under subsection 2.2(5) of the Act an amount that is calculated on the basis of the amount of the cost recovery fees that the telecommunications carrier collected in the immediately preceding calendar month, the amount that the telecommunications carrier is required to pay in respect of that month shall be determined by the formula

$$A - (B \times C)$$

where

A is the total amount of the cost recovery fees collected in the immediately preceding calendar month by the telecommunications carrier;

B is the amount of the collection or billing allowance set out in section 5 that may be deducted by the telecommunications carrier in respect of each cost recovery fee that it collected; and

C is an amount equal to the number of the cost recovery fees that the telecommunications carrier collected in the immediately preceding calendar month.

Calculation of amount payable on billed basis

(2) Where a telecommunications carrier wishes to pay under subsection 2.2(5) of the Act an amount that is calculated on the basis of the amount of the cost recovery fees that the telecommunications carrier has billed to its local subscribers for telephone services provided in the immediately preceding calendar month, the amount the telecommunications carrier is required to pay in respect of that month shall be determined by the formula

$$[(A \times B) - (B \times C)] - [((A \times B) - (B \times C)) \times D]$$

where

A is the amount of the cost recovery fee set out in the Schedule to the Act;

B is the number of telephone services that the telecommunications carrier billed to its local subscribers during the immediately preceding calendar month;

C is the amount of the collection or billing allowance set out in section 5 that may be deducted by the telecommunications carrier in respect of each telephone service that it bills its local subscribers for; and

D is the telecommunication carrier's average percentage rate of bad debts for the telephone services that it billed to its local subscribers during its previous fiscal year.

3. (1) On or before the twentieth day of each calendar month, every telecommunications carrier shall file with the Commissioner a return that Returns
- (a) is in such form as may be prescribed by the Commissioner; and
  - (b) contains the information required by this section.

(2) Where the amount that a telecommunications carrier pays in a calendar month under subsection 2.2(5) of the Act is calculated on the basis of the amount of the cost recovery fees that the telecommunications carrier collected during the immediately preceding calendar month, the return filed by the telecommunications carrier pursuant to subsection (1) must indicate *Idem*

- (a) the total amount of the cost recovery fees collected by the telecommunications carrier in the immediately preceding calendar month;
- (b) the total number of the cost recovery fees that the telecommunications carrier collected in the immediately preceding calendar month; and
- (c) the total amount of the collection or billing allowance claimed by the telecommunications carrier in respect of the cost recovery fees it collected in the immediately preceding calendar month.

(3) Where the amount that a telecommunications carrier pays in a calendar month under subsection 2.2(5) of the Act is calculated on the basis of the amount of the cost recovery fees that the telecommunications carrier billed to its local subscribers during the immediately preceding calendar month, the return filed by the telecommunications carrier pursuant to subsection (1) must indicate *Idem*

- (a) the number of telephone services that the telecommunications carrier billed to its local subscribers during the immediately preceding calendar month;
- (b) the total amount of the collection allowance claimed by the telecommunications carrier in respect of the cost recovery fees it billed in the immediately preceding calendar month; and
- (c) the telecommunication carrier's average percentage rate of bad debts for the telephone services it billed to its local subscribers during its previous fiscal year.

(4) Where a telecommunications carrier

- (a) is registered under the Act as an agent of the Provincial Treasurer for the collection of the cost recovery fees payable by its local subscribers;
- (b) normally provides telephone services to its local subscribers; and

No collection of or  
billing made for  
fees

(c) in the immediately preceding calendar month, did not collect or bill, as the case may be, any cost recovery fees, the telecommunications carrier shall, on or before the twentieth day of the following calendar month, file a return that

(d) indicates that the telecommunications carrier did not collect or bill, as the case may be, any cost recovery fees in the immediately preceding calendar month; and

(e) is in a form acceptable to the Commissioner.

Amount held in trust

4. (1) Where a telecommunications carrier fails in a calendar month to pay an amount to the Provincial Treasurer, as and when required under the Act and these regulations, the telecommunications carrier is deemed to hold an amount equal to the amount it is required to pay under the Act and these regulations in trust for the payment over of the same under the Act and these regulations, and the amount deemed to be held in trust, until paid, forms a lien and charge on the entire estate of the telecommunications carrier or on the entire assets of such estate in the hands of any trustee, and such lien or charge has priority over all other claims of any person.

Amount held separate

(2) Where a telecommunications carrier is deemed under subsection (1) to hold an amount in trust, that amount shall be deemed to be held separate from and form no part of the estate or assets of the telecommunications carrier, whether or not the amount has in fact been kept separate and apart from the estate or assets of the telecommunications carrier.

Collection or billing allowance

5. (1) Subject to subsection (2), a telecommunications carrier may deduct, as provided for in section 2, a collection or billing allowance in the amount of seven cents (\$.07) for each cost recovery fee it bills to or collects from its local subscribers, as the case may be, on behalf of the Provincial Treasurer.

No deduction of collection or billing allowance

(2) A telecommunications carrier is not entitled to deduct a collection or billing allowance when determining under section 2 the amount that is payable by the telecommunications carrier to the Provincial Treasurer in a calendar month if the telecommunications carrier fails

(a) in respect of that calendar month, to pay

(i) an amount that is equal to the amount payable under section 2, or  
(ii) the amount referred to in subclause (i) when required by the Act and these regulations; or

(b) to file a return for that calendar month as required under section 3.

Books and records

6. (1) Every telecommunications carrier that provides telephone service to its local subscribers shall keep and maintain books of account, records and documents sufficient to allow the Commissioner to determine, on a monthly basis,

- (a) the number of telephone services subscribed to by its local subscribers;
- (b) the amount of cost recovery fees billed to its local subscribers;
- (c) the amount of cost recovery fees collected from its local subscribers;
- (d) the disposal of the cost recovery fees paid to the telecommunications carrier, including any allowance taken; and
- (e) the amount of any allowance for bad debts made by the telecommunications carrier under section 2.

(2) Every telecommunications carrier shall preserve all books of account, records and documents that are required to be kept and maintained under subsection (1) until such time as the Commissioner may authorize their destruction. *Idem*

7. (1) The Commissioner may from time to time and at such intervals as the Commissioner may consider reasonable, determine and assess, or reassess, any amount that is required to be paid by a telecommunications carrier to the Provincial Treasurer under the Act and these regulations, and thereupon the amount so assessed or reassessed becomes due and payable by the telecommunications carrier. *Assessment and reassessment*

(2) Where a telecommunications carrier

(a) fails, in a calendar month,

- (i) to pay an amount to the Provincial Treasurer, as and when required under the Act and these regulations, or
- (ii) to make a return to the Commissioner in accordance with section 3; or

(b) on the request of the Commissioner, fails to substantiate, by means of the records kept by the telecommunications carrier,

- (i) the amount of cost recovery fees that the telecommunications carrier has collected from or billed to its local subscribers, as the case may be, during a calendar month,
- (ii) all or any part of the amount that the telecommunications carrier paid to the Provincial Treasurer under the Act and these regulations during a calendar month, or
- (iii) a return for a calendar month made to the Provincial Treasurer by the telecommunications carrier under section 3,

the Commissioner may estimate the amount that the telecommunications carrier is required to pay to the Provincial Treasurer during that calendar month and that it has not paid, and such estimated amount is deemed to be due and payable by the telecommunications carrier for that calendar month. *Estimate of amount payable under Act and these regulations*

(3) The Commissioner shall serve personally or send by registered mail to the telecommunications carrier, at the latest known address of the telecommunications carrier, a notice setting out the amount assessed or reassessed under subsection (1), or estimated under subsection (2), as being due and payable to the Provincial Treasurer, and in the case of a telecommunications carrier that has more than one address, one of which *Notice of amount assessed or estimated*

is within the province, the notice may be sent to the address in the province.

Liability to  
assessment

(4) The liability of a telecommunications carrier to an assessment, reassessment or estimate made by the Commissioner under this section is not affected by

- (a) any previous incorrect or incomplete assessment, reassessment or estimate made by the Commissioner; or
- (b) the fact that no previous assessment, reassessment or estimate has been made by the Commissioner.

Validity

(5) Any assessment, reassessment or estimate made by the Commissioner under this section is valid and binding notwithstanding any error, defect or omission therein or any proceeding under the Act or these regulations, unless the assessment, reassessment or estimate is varied or set aside,

- (a) by the Commissioner, on reconsideration under section 8; or
- (b) by the Commission, on appeal under section 9.

Notice – proof of  
mailing or service

(6) An affidavit or statutory declaration by a person serving or mailing a notice to a telecommunications carrier pursuant to subsection (3) stating that the person has mailed or served the notice is proof that the amount stated in the notice is due and owing and the onus of proving otherwise rests on the telecommunications carrier.

Period of  
assessment

(7) In making an assessment or a reassessment under this section, the Commissioner shall not consider a period prior to the sixty months immediately preceding the month in which the assessment or reassessment is made, as the case may be, except where there is a reasonable appearance of wilful default or fraud to the Commissioner.

Designation by  
Provincial Treasurer

(8) The Provincial Treasurer may by notice published in the Gazette designate any officer of the Provincial Treasury to

- (a) issue and sign notices under subsection (3); and
- (b) exercise the powers of the Commissioner under this section.

Notice of objection

**8.** (1) Where a telecommunications carrier wishes to dispute liability for an amount indicated as being due and payable in a notice that is served on or mailed to the telecommunications carrier under subsection 7(3), the telecommunications carrier shall, within sixty days of the date of service or mailing of the notice, serve on the Commissioner a notice of objection setting out the reasons for the objection and all relevant facts.

*Idem*

(2) A notice of objection is sufficiently served on the Commissioner if, within the time period required by subsection (1), it is

- (a) delivered to the office of the Commissioner; or
- (b) sent by registered mail addressed to the Commissioner.

Reconsideration

(3) The Commissioner shall, within sixty days of receipt of a notice of objection from a telecommunications carrier that has been served on or mailed to the Commissioner as required by this section,

- (a) reconsider the assessment, reassessment or estimate that is the subject of the notice of objection;
- (b) decide whether to confirm, vary or set aside the assessment, reassessment or estimate, as the case may be; and
- (c) send by registered mail addressed to the telecommunications carrier a notice of the decision that includes a statement of the amount, if any, that is due and payable by the telecommunications carrier to the Provincial Treasurer.
- 9. (1)** If a telecommunications carrier is dissatisfied with the decision of the Commissioner under subsection 8(3), the telecommunications carrier may, within thirty days from the date of mailing of the decision, appeal to the Commission. Appeals
- (2) An appeal shall be commenced by serving upon the Commission a notice of appeal in writing setting out the grounds of the appeal and stating briefly the facts relative thereto. Notice
- (3) The grounds of an appeal set out in a notice of appeal shall be limited to the reasons raised by the telecommunications carrier in a notice of objection filed under subsection 8(1). Grounds
- (4) A notice of appeal is sufficiently served on the Commission if, within the time period required by subsection (1), it is
- (a) delivered to the office of the Commission; or
- (b) sent by registered mail addressed to the Commission. Service
- (5) On the hearing of the appeal both the appellant and the Commissioner are entitled to appear and be heard and to submit further evidence. Right to be heard
- (6) The Commission may, in writing, designate a person to act on its behalf and hear an appeal under this section and any reference in this section to the Commission includes a person so designated. Designation of person to act on behalf of the Commission
- (7) No grounds of appeal shall be considered by the Commission other than the grounds of appeal set out in the notice of appeal. Grounds that may be considered
- (8) Upon any appeal, the Commission may confirm, vary or set aside the decision of the Commissioner and shall give the appellant and the Commissioner written notice of its decision by registered mail. Decision
- 10. (1)** Where
- (a) a telecommunications carrier gives
- (i) a notice of objection to the Commissioner, or
- (ii) a notice of appeal to the Commission; or
- (b) a delay in the hearing of an appeal under section 9 occurs, the giving of the notice or the occurrence of the delay, as the case may be, shall not in any way affect the due date of, or the liability of the telecommunications carrier to pay to the Provincial Treasurer, any amount, including any interest or penalty, that is the subject matter of the Payment liability not affected by notices of objection or appeal

objection or appeal and that is due and payable under the Act and these regulations.

Refund

(2) Where

(a) an assessment, reassessment or estimate of the Commissioner concerning an amount required to be paid by telecommunications carrier is set aside or reduced on reconsideration by the Commissioner under section 8, or on appeal by the Commission under section 9; and

(b) the decision of the Commissioner or the Commission respecting the reconsideration or appeal indicates that the telecommunications carrier paid to the Provincial Treasurer an amount it was not required to pay because of an error in the assessment, reassessment or estimate,

the Provincial Treasurer shall, on receipt of notice of the decision of the Commissioner or the Commission, as the case may be, refund to the telecommunications carrier any amount which it was not required to pay, and any additional interest or penalty it paid thereon.

Recovery of amount

**11. Where**

(a) a telecommunications carrier defaults in the payment of any amount due and payable by a telecommunications carrier to the Provincial Treasurer under the Act and these regulations, including any amount due and payable as interest or a penalty;

(b) the Commissioner has sent a registered letter to the telecommunications carrier demanding payment of the amount due and payable; and

(c) 30 days has expired from the date that the registered letter was sent,

the Commissioner may issue a certificate stating

(d) the name of the telecommunications carrier from whom the amount is due and payable;

(e) the facts known to the Commissioner respecting the default referred to in clause (a); and

(f) the amount that is due and payable on the date of the certificate.

Exception

(2) Notwithstanding anything to the contrary in subsection (1), the certificate referred to in that subsection may be issued forthwith where the Commissioner considers it necessary or advisable to do so.

Effect of filing certificate

(3) Upon its production to and filing with the Registrar of the Supreme Court, the certificate shall be entered and recorded in the court, and when so entered and recorded it has the same force and effect, and all proceedings may be taken thereunder, as if it were a judgment obtained in the court by the Government against the person named in the said certificate.

Costs and charges are recoverable

(4) All reasonable costs and charges attendant upon the production and registration of the certificate shall be recovered in like manner as if the amount thereof had been included in the said certificate.

- 12.** When the Provincial Treasurer knows or suspects that a person is, or is about to become, indebted to or liable to make any payments to a telecommunications carrier liable to make a payment of an amount due and payable to the Provincial Treasurer under the Act and these regulations, the Provincial Treasurer may, by registered letter or by a letter served upon the person personally, require the person to pay the amount otherwise payable to the telecommunications carrier in whole or in part, to the Provincial Treasurer on account of the liability of the telecommunications carrier under the Act and these regulations. Third party payment of amount due
- 13.** (1) Any amount that is due and payable under the Act and these regulations, constitutes a debt due to the Government and may be recovered by action in any court of competent jurisdiction. Debt due
- (2) The court may make an order as to the costs of such action in favour or against the Government. Costs
- (3) The *Statute of Limitations* R.S.P.E.I. 1988, Cap. S-7 does not apply to the liability of a telecommunications carrier for the payment of an amount due and payable by the telecommunications carrier under the Act and these regulations and does not constitute a restriction on the recovery of that amount. Statute of limitations for liability
- 14.** (1) Any amount due and payable under the Act and these regulations by a telecommunications carrier shall bear interest at the rate of 1.5% per month from the day on which that amount should have been paid to the Provincial Treasurer. Interest on amount due
- (2) Where, as a result of an objection or appeal, an amount is refunded by the Provincial Treasurer to any telecommunications carrier, interest is payable thereon by the Provincial Treasurer at the rate referred to in subsection (1). Refunded amounts
- (3) Notwithstanding subsection (1), interest shall cease to accrue on an amount due and payable under the Act and these regulations by a telecommunications carrier as of the date the telecommunications carrier files an assignment in bankruptcy under the *Bankruptcy and Insolvency Act* R.S.C 1985, Chap. B-3. Bankruptcy
- 15.** Every telecommunications carrier who fails, in a calendar month, to pay an amount to the Provincial Treasurer that is due and payable under the Act and these regulations, or to make a return to the Commissioner for the calendar month in accordance with section 3, shall pay a penalty to the Provincial Treasurer upon demand by the Commissioner in an amount equal to the lesser of Penalty
- (a) five percent of the total amount that was due and payable by the telecommunications carrier for the calendar month; and
- (b) \$250,
- and the amount of such penalties may be stated in a certificate issued by the Commissioner pursuant to section 11.



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Costs and expenses	<p><b>16.</b> (1) Where a telecommunications carrier owes an amount to the Provincial Treasurer that is due and payable under the Act and these regulations, the telecommunications carrier shall pay to the Provincial Treasurer, on demand by the Commissioner, all of the costs and expenses incurred by the Provincial Treasurer in collecting the amount that is due and payable, and the amount of such costs and expenses may be stated in a certificate issued by the Commissioner pursuant to section 11.</p>
Penalty for non-negotiable cheque	<p>(2) The Commissioner may levy against a telecommunications carrier a penalty in the amount of \$35 for each non-negotiable cheque that is issued by the telecommunications carrier to the Provincial Treasurer.</p>
Audits	<p><b>17.</b> (1) The Commissioner may, from time to time and at such intervals as the Commissioner considers appropriate, make or cause to be made an audit of the books of account, records, documents and papers of any telecommunications carrier.</p>
<i>Idem</i>	<p>(2) Each telecommunications carrier shall make its books of account, records, documents and papers available to the Commissioner for the purpose of an audit under subsection (1).</p>
Entry for audit	<p><b>18.</b> (1) The Commissioner, an inspector or any person authorized by the Provincial Treasurer may, without warrant, during normal business hours or at any other reasonable time, enter upon any premises or place where any telecommunications carrier carries on business or where any records of a telecommunications carrier are kept to audit, inspect or examine any account, record, paper, document, invoice, record keeping device, voucher, letter, electronic mail, or any other document or thing that is related or may relate in any way to the billing or collection of a cost recovery fee or the payment of the fee or an amount in respect of that fee.</p>
Assistance	<p>(2) Any person authorized under subsection (1) to enter the premises or place referred to in that subsection may, on entering upon any such premises or place, require the owner, employee or agent of the telecommunications carrier to give him or her all reasonable assistance with the audit or examination and to answer all proper questions relating to the audit or examination either orally or, if he or she so requests, on oath or by statutory declaration, and for that purpose to require the owner or employee to attend at the premises or place with him or her.</p>
Answering questions	<p>(3) A telecommunications carrier and any person who is an officer, employee or agent of the telecommunications carrier shall</p> <ul style="list-style-type: none"><li>(a) answer all of the questions of a person authorized to enter the premises of the telecommunications carrier under subsection (1) relating to any of the matters concerning which authority to enter is given in this section; and</li><li>(b) produce for inspection such records, documents and other things as are required by a person authorized to enter the premises of the telecommunications carrier under subsection (1).</li></ul>

(4) A telecommunications carrier who carries on business in the province, but does not keep or maintain in the province all books of account, records, record-keeping devices, papers or any other documents required for the purpose of audit, inspection, or examination, is liable for the expenses necessarily incurred by any officer appointed by the Provincial Treasurer for the purpose of auditing, inspecting, or examining the books of account, records and documents at the place where they are kept or maintained.

Expenses of  
Provincial Treasurer  
- liability

(5) If during the course of an audit or inspection pursuant to subsection (1) it appears to the person conducting the audit or inspection that there has been a contravention of the Act or these regulations, the person conducting the audit or inspection may seize and take away any books of account, records and other documents and retain them until they are produced in any court proceeding and may make a copy thereof.

Retention of records

(6) A copy of any book of account, record or document purporting to be certified by the Commissioner, an inspector or any authorized person referred to in subsection (1) to be a copy pursuant to this section is admissible in evidence and has the same probative force as the original document would have had if it had been proved in the ordinary way.

Admissibility of  
copies

**19.** Where a telecommunications carrier pays an amount to the Provincial Treasurer that is not due and payable under the Act and these regulations, the Provincial Treasurer shall repay to the telecommunications carrier the amount wrongly paid if application for refund has been made within four years of the date the amount was wrongly paid.

Repayment of  
amount wrongly  
paid

**20.** (1) An application under section 19 for a refund of an amount wrongly paid shall be made, in writing, to the Commissioner and shall include

Application for  
refund of amount  
wrongly paid

- (a) the reason for requesting the refund; and
- (b) such information or documents, including invoices and receipts, as the Commissioner may require, respecting the payment of the amount for which the refund is requested.

(2) Any information or documents required by the Commissioner in respect of an application under subsection (1) shall be provided or presented by the applicant in such form or manner as the Commissioner may require.

Information

**21.** (1) Any penalty or interest assessed against a telecommunications carrier may be waived by the Commissioner where the penalty or interest results from non-compliance by the telecommunications carrier with the Act, or any regulations made thereunder, as a result of one or more of the following extraordinary circumstances:

Waiver of penalty  
or interest

- (a) a natural disaster such as flood, fire or storm;
- (b) a personal tragedy such as the serious illness or death of, or in the family of
  - (i) a telecommunications carrier, or

- (ii) a person who oversees and ensures the telecommunications carrier's compliance with the Act, or any regulations made thereunder;
- (c) the theft or vandalism of records; or
- (d) a civil disturbance.

Waiver of penalty due to errors or delays

(2) Any penalty or interest assessed against a telecommunications carrier may be waived by the Commissioner where the assessment is the result of any of the following administrative errors or delays by the Commissioner:

- (a) a delay in processing returns that results in a lengthy delay in informing the telecommunications carrier of amounts owing;
- (b) incorrect written information being provided to the telecommunications carrier;
- (c) an unreasonable delay in providing required information to the telecommunications carrier;
- (d) an error in materials prepared and distributed by the Commissioner to the general public; or
- (e) a change in the interpretation of the Act, or any regulations made thereunder, after a return has been filed by the telecommunications carrier based on a prior interpretation of the Act, or any regulations made thereunder.

Commissioner's decision final

(3) The decision of the Commissioner on the waiver of any penalty or interest pursuant to this section is final and is not subject to objection or appeal.

Transitional

**22.** Where a telecommunications carrier has not paid to the Provincial Treasurer an amount that is payable under the Act in respect of the cost recovery fees collected or billed during February, March, April or May of 2006, the telecommunications carrier shall pay that amount to the Provincial Treasurer on or before July 20, 2006.

Commencement

**23.** These regulations come into force on July 1, 2006.

#### EXPLANATORY NOTES

**SECTION 1** is the definition section.

**SECTION 2** explains how the amount payable is to be calculated.

**SECTION 3** requires telecommunications carriers to file a monthly return with the Commissioner.

**SECTION 4** requires telecommunications carriers to hold an amount in trust for the cost recovery fees they have not yet paid to the Provincial Treasurer.

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**SECTION 5** allows telecommunications carriers to deduct a collection and billing allowance from the monthly amount due to the Provincial Treasurer.

**SECTION 6** requires telecommunications carriers providing telephone service to keep and maintain books of account and records.

**SECTION 7** allows the Commissioner to assess, reassess and estimate amounts required to be paid by the telecommunications carrier to the Provincial Treasurer.

**SECTION 8** allows the telecommunications carrier to serve the Commissioner with a notice of objection regarding an assessment when the carrier wishes to dispute liability for an amount.

**SECTION 9** outlines the process to be followed by a telecommunications carrier when appealing a decision of the Commissioner. The appeal lies to the Commission.

**SECTION 10** states that a telecommunication carrier is liable to pay any amount owed to the Provincial Treasurer despite the fact that the carrier has filed an objection or commenced an appeal.

**SECTION 11** provides the Commissioner with the authority to file a certificate in the Supreme Court against a telecommunications carrier and that certificate has the legal status of a judgement of the Court.

**SECTION 12** allows the Provincial Treasurer to require a third party to forward any payment which the third party owes to a telecommunications carrier directly to the Provincial Treasurer.

**SECTION 13** states that when a telecommunications carrier has amounts due and payable under the Act and these regulations, they are considered a debt due to the Government and are recoverable in court. The section also states that the *Statute of Limitations* does not apply to amounts due from telecommunications carrier.

**SECTION 14** allows the Provincial Treasurer to apply interest charges on amounts due from telecommunications carriers.

**SECTION 15** allows the Provincial Treasurer to apply penalties to telecommunications carriers for amounts due.

**SECTION 16** allows the Provincial Treasurer to collect costs and expenses involved in the collection of amounts due from a telecommunications carrier. The section also allows the Commissioner to levy charges for non-negotiable cheques issued by a telecommunications carrier.

**SECTIONS 17 and 18** allow the Commissioner to audit telecommunications carriers and describe the audit process.

**SECTION 19** requires the Provincial Treasurer to repay amounts wrongly paid by the telecommunications carrier.

**SECTION 20** allows a telecommunications carrier, seeking repayment of amounts wrongly paid, to apply in writing to the Commissioner for a refund.

**SECTION 21** allows the Commissioner to waive penalties and interest incurred by a telecommunications carrier.

**SECTION 22** is a transitional provision providing a payment date for any money not paid as required under the Act before the commencement of these regulations.

**SECTION 23** is the commencement section.

Certified a true copy,

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

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**PART II**  
**REGULATIONS INDEX**

Chapter Number	Title	Original Order Reference	Amendment	Authorizing Order and Date	Page
E-5.1	<b>Emergency 911 Act Regulations</b>	EC155/00	Title Change s.10 [rev] [eff] July 1/06	EC2006-341 (21.06.06)	179
	retitled: General Regulations				
	911 Cost Recovery Fees Regulations		[new] [eff] July 1/06	EC2006-342 (21.06.06)	180-192