

EC2003-301

**BOILERS AND PRESSURE VESSELS ACT
ADVISORY BOARD
APPOINTMENTS**

Pursuant to section 30 of the *Boilers and Pressure Vessels Act* R.S.P.E.I. 1988, Cap. B-5 Council made the following appointments:

NAME	TERM OF APPOINTMENT
Louis Douse Vernon Bridge (reappointed)	29 June 2002 to 29 June 2005
Philip Hughes Tracadie Cross (reappointed)	29 June 2002 to 29 June 2005
Brian Reid East Royalty (reappointed)	29 June 2002 to 29 June 2005
Cecil Thomas Cornwall (reappointed)	29 June 2002 to 29 June 2005
Ross Wheatley Stratford (vice Claus Broderson, term expired)	10 June 2003 to 10 June 2006

Further, Council designated Ross Wheatley as chairman of the Advisory Board (vice Claus Broderson) pursuant to subsection 30(2) of the said Act.

EC2003-302

CANADA PENSION PLAN
(BILL C-3)
CONFIRMATION ORDER

Pursuant to subsection 114(4) of the *Canada Pension Plan* R.S.C. 1985, c. C-8, s. 114; R.S.C., 1985, c. 30 (2nd Supp.) s. 57; S.C. 1993, c. 28, s. 78; S.C. 1997, c. 40, s. 95, the Lieutenant Governor in Council of the Province of Prince Edward Island is pleased to confirm that the government of Prince Edward Island hereby signifies its consent to the provisions of *An Act to amend the Canada Pension Plan and the Canada Pension Plan Investment Board Act*, S.C. 2003, c. 3, a copy of which is attached to the file copy of this Order in the Office of the Clerk of the Executive Council.

EC2003-303

FINANCIAL ADMINISTRATION ACT
FATHERS OF CONFEDERATION BUILDINGS TRUST
GUARANTEE OF LOAN

Having under consideration the recommendation of Treasury Board (reference Minute TB#90/03 of 4 June 2003), pursuant to subsection 32(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council agreed to guarantee payment of a bridge financing loan by Fathers of Confederation Buildings Trust (hereinafter referred to as "the borrower") in an amount not exceeding one million three hundred thousand dollars (\$1,300,000.00) (hereinafter referred to as the "guaranteed indebtedness") together with interest thereon at the Royal Bank of Canada's flex financing rate to the Royal Bank of Canada of Charlottetown, Prince Edward Island (hereinafter referred to as "the lender"), from the 30th day of June, 2003 through to and including 1700 hours on the 30th day of June, 2004, the said guarantee to be subject to and conditional upon the following terms and conditions:

1. The guaranteed indebtedness, including interest, shall be due and payable in full by the borrower no later than the 30th day of June 2004.
2. Any advances made by the lender after the 30th day of June 2004 shall not form part of the guaranteed indebtedness.
3. The guarantee shall absolutely expire and be null and void without notice to the lender at 1700 hours on the 30th day of June 2004 regardless of any advances that may have been made by the lender to the borrower unless on or before the 30th day of June 2004, notice has been given to the Government of Prince Edward Island, as represented by the Provincial Treasurer that the borrower has defaulted in repayment of the guaranteed indebtedness to the lender, and calling upon the Provincial Treasurer to pay the lender pursuant to the guarantee. The written notice shall include a copy of the written demand given by the lender to the borrower calling upon the borrower to pay the balance in full.
4. Government shall be entitled at any time to terminate the guarantee by paying to the lender such amount of the guaranteed indebtedness as may be owing by the borrower to the lender and the lender shall assign to the government all security the lender holds in connection with the guaranteed indebtedness.

5. The Provincial Treasurer may add such further terms and conditions to the guarantee as she considers appropriate.
6. The guarantee shall not become effective until the lender has agreed in writing to the terms and conditions herein contained and those imposed by the Provincial Treasurer pursuant to paragraph 5 above. The guaranteed indebtedness shall not include any advances made by the lender prior to the agreement by the lender with the terms and conditions herein contained and those imposed by the Provincial Treasurer.

EC2003-304

**GASOLINE TAX ACT
REGULATIONS
AMENDMENT**

Pursuant to section 9 of the *Gasoline Tax Act* R.S.P.E.I. 1988, Cap. G-3, Council made the following regulations:

1. The *Gasoline Tax Act* Regulations (EC283/72) are amended by the revocation of clause 1(1)(d.1) and the substitution of the following:

(d.1) "farmer" means an individual, partnership or corporation ^{farmer} registered in the province, actively engaged in a farming operation, and reporting income from the sale of products from the farming operation or from providing custom agricultural services to farmers;

2. These regulations come into force on June 21, 2003.

EXPLANATORY NOTES

SECTION 1 amends the definition of "farmer" to include those who report income not only from the sale of products from the farming operation but also from the provision of custom agricultural services.

SECTION 2 provides for the commencement of these regulations.

EC2003-305

**AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT (NO. 2)
DECLARATION RE**

Under authority of section 8 of *An Act to Amend the Highway Traffic Act (No. 2)* Stats. P.E.I. 2003, 4th Session, c. 39 Council ordered that a Proclamation do issue proclaiming "*An Act to Amend the Highway Traffic Act (No. 2)*" to come into force effective 14 June 2003.

EC2003-306

**PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
RICHARD HUNTER AND SUSAN HUNTER
(APPROVAL)**

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Richard Hunter and Susan Hunter, both of Chatham, Massachusetts to acquire a land holding of approximately forty-two (42) acres of land in Lot 62, Queens County, Province of Prince Edward Island, being acquired from Linda Lank of Cornwall, Prince Edward Island PROVIDED THAT the said real property is identified for

non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2003-307

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GARY LLEWELLYN EVANS
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Gary Llewellyn Evans of Legionowo, Poland to acquire a land holding of approximately fifty (50) acres of land in Lot 31, Queens County, Province of Prince Edward Island, being acquired from Bernard McIver and Rosemary McIver, both of New Haven, Prince Edward Island.

EC2003-308

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
A & P HOLDINGS LTD.
(TO RESCIND)

Council, having under consideration Order-in-Council EC2001-776 of 18 December 2001, rescinded the said Order forthwith, thus rescinding permission for A & P Holdings Ltd. of Kensington, Prince Edward Island to acquire a land holding of approximately four hundred and sixty-six decimal seven three (466.73) acres of land in Lot 18, Prince County from Alfred and Phyllis Wall of Kensington, Prince Edward Island.

EC2003-309

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
A & P HOLDINGS LTD.
(TO RESCIND)

Council, having under consideration Order-in-Council EC2001-777 of 18 December 2001, rescinded the said Order forthwith, thus rescinding permission for A & P Holdings Ltd. of Kensington, Prince Edward Island to acquire a land holding of approximately two hundred and five decimal two six (205.26) acres of land in Lot 18, Prince County from Alfred and Phyllis Wall of Kensington, Prince Edward Island.

EC2003-310

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 APHRODISEA INC.
 (APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Aphrodisea Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately one decimal two nine (1.29) acres of land in Lot 58, Queens County, Province of Prince Edward Island, being acquired from Jeffrey Davidson of Charlottetown, Prince Edward Island.

EC2003-311

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 LIDSTONE REALTIES LIMITED
 (APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Lidstone Realities Limited of Central Bedeque, Prince Edward Island to acquire a land holding of approximately one (1) acre of land in Lot 26, Prince County, Province of Prince Edward Island, being acquired from Robert C. Reid and Norma Reid, both of Central Bedeque, Prince Edward Island.

EC2003-312

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 MARWOOD PROPERTIES INC.
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Marwood Properties Inc. of Georgetown, Prince Edward Island to acquire a land holding of approximately fifty (50) acres of land in Lot 60, Queens County, Province of Prince Edward Island, being acquired from the Provincial Treasurer of Charlottetown, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act AND PROVIDED THAT Marwood Properties Inc. submits a Forest Management Plan to the Department of Agriculture and Forestry that is acceptable to the said Department.

EC2003-313

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MCGOWAN TRACTOR AND EQUIPMENT (1977) LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to McGowan Tractor and Equipment (1977) Ltd. of Summerville, Prince Edward Island to acquire a land holding of approximately five decimal one four (5.14) acres of land in Lot 66, Kings County, Province of Prince Edward Island, being acquired from John McGowan of Kilmuir, Prince Edward Island.

EC2003-314

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MORLEY ANNEAR LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Morley Annear Ltd. of Brudenell, Prince Edward Island to acquire a land holding of approximately three decimal three (3.3) acres of land in Lot 52, Kings County, Province of Prince Edward Island, being acquired from Orville MacDonald of Montague, Prince Edward Island.

EC2003-315

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WELLINGTON CONSTRUCTION CO. LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Wellington Construction Co. Ltd. of Wellington, Prince Edward Island to acquire a land holding of approximately zero decimal five (0.5) acres of land in Lot 15, Prince County, Province of Prince Edward Island, being acquired from Carol Elizabeth Caissie of York, Prince Edward Island.

EC2003-316

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 587147, LOT 35, QUEENS COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately seventy-four decimal two (74.2) acres of land, being Provincial Property No. 587147 located in Lot 35, Queens County, Prince Edward Island and currently owned by Artz Farms Inc. of Harrington, Prince Edward Island.

Council noted that this amendment will enable subdivision of two lots totalling approximately twelve acres in size, and determined that following subdivision, identification for non-development use shall continue to apply to both of the new parcels as well as to the remaining land.

This Order-in-Council comes into force on 10 June 2003.

EC2003-317

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 818476, LOT 21, QUEENS COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately seventy (70) acres of land, being Provincial Property No. 818476 located in Lot 21, Queens County, Prince Edward Island and currently owned by MacEwen Farms Ltd. of New London, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately two decimal zero nine (2.09) acres, and determined that following subdivision, identification for non-development use shall continue to apply to the remaining land.

This Order-in-Council comes into force on 10 June 2003.

EC2003-318

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 764308, LOT 18, PRINCE COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately seventy-four (74) acres of land, being Provincial Property No. 764308 located in Lot 18, Prince County, Prince Edward Island and currently owned by W.D. Caseley Ltd. of Kensington, Prince Edward Island.

Council noted that the property will continue to be identified for non-development use, but this amendment will permit the establishment and operation of a farm market (commercial) on the property.

This Order-in-Council comes into force on 10 June 2003.

CANADA

PROVINCE OF PRINCE EDWARD ISLAND

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.

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 39 of the Acts passed by the
Legislature of Prince Edward Island in the 4th Session thereof held in the year
2003 and in the fifty-second year of Our Reign intituled "An Act to Amend the
Highway Traffic 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. 2003,
4th Session, c. 39 should come into force on the 14th day of June, 2003,

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
Highway Traffic Act (No. 2)" passed in the fifty-second year of Our Reign shall
come into force on the fourteenth day of June, two thousand and three 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 tenth day of June in the
year of Our Lord two thousand and three and in the fifty-second year of Our
Reign.

By Command,

Clerk of the Executive Council