

## EC2003-427

**ENVIRONMENTAL PROTECTION ACT  
SEWAGE DISPOSAL SYSTEMS REGULATIONS  
AMENDMENT**

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

**1. Section 1 of the *Environmental Protection Act* Sewage Disposal Systems Regulations (EC403/03) is amended**

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

(c) “authority having jurisdiction” means the Department of Fisheries, Aquaculture and Environment; authority having jurisdiction

**(b) by the addition of the following after clause (g):**

(g.1) “cafeteria” means a restaurant in which food is displayed on counters and patrons serve themselves; cafeteria

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

(m) “contractor’s licence” means a licence issued under section 3; contractor’s licence

**(d) by the addition of the following after clause (u):**

(u.1) “effluent line” means a pipe that transports effluent from a septic tank to a disposal field; effluent line

(u.2) “existing parcel” means any parcel in existence prior to June 12, 1993; existing parcel

**(e) by the addition of the following after clause (x):**

(x.1) “grease interceptor tank” means a tank installed in front of the septic tank to remove grease, oil and fats from sewage; grease interceptor tank

**(f) by the addition of the following after clause (bb):**

(bb.1) “licensed contractor” means a contractor who holds a contractor’s licence; licensed contractor

(bb.2) “licensed pumper” means a person who holds a pumper’s licence; licensed pumper

(bb.3) “licensed site assessor” means a person who holds a site assessor’s licence; licensed site assessor

**(g) by the revocation of clause (ll);**

**(h) by the addition of the following after clause (mm):**

(mm.1) “pumper’s licence” means a licence issued under subsection 22(2); pumper’s licence

**(i) by the addition of the following after clause (nn):**

(nn.1) “restaurant” means a place where meals can be bought and eaten and includes a cafeteria and an institutional kitchen; restaurant

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

(oo) “septage” means all settled solids, scum, liquid or other material removed from a septic tank or disposal field; septage

**(k) by the addition of the following after clause (ss):**

(ss.1) “sewer line” means a pipe that transports sewage from a building to a septic tank or a sewer collection main; sewer line

(ss.2) “site assessor’s licence” means a licence issued under section 17.1; site assessor’s licence

**(l) by the revocation of clause (uu) and the substitution of the following:**

(uu) “sludge” means the semi-liquid material that is removed from a wastewater treatment system as an end product of the treatment process; sludge

**(m) by the revocation of clause (vv) and the substitution of the following:**

(vv) “standard disposal field” means standard disposal field  
 (i) a multiple trench or alternative multiple trench disposal field,  
 or  
 (ii) another type of disposal field permitted under section 21, but does not include a contour trench or leaching chamber disposal field (see Appendix A, Figure A.1);

**2. (1) The regulations are amended by the addition of the following after section 1:**

1.1 For the purposes of these regulations, a Category I, II or III lot is a property that has been assessed as such in a site suitability assessment completed in accordance with section 17. Categories of property

**(2) Subsection 2(1) is amended by the addition of the words “installation,” before the word “construction”.**

**3. Section 3 of the regulations is amended****(a) by the addition of the following heading before section 3:**

## LICENCES AND PERMITS

**(b) by the revocation of subsection (2) and by the substitution of the following:**

(2) No licensed contractor shall permit a sewage disposal system to be installed, constructed, reconstructed or modified unless the licensed contractor, or a registered installer in the employ of the licensed contractor, is present on the job site during the installation, construction, reconstruction or modification. Site supervision

**(c) in subsection (3), by the deletion of the words “such contractor shall be fully responsible for ensuring compliance with all applicable provisions of” and the substitution of the words “the licensed contractor shall ensure that the work is carried out in compliance with the standards and requirements prescribed in”;**

**(d) by the revocation of subsection (6);**

**(e) in subsection (7), by the addition of the words “and for a period not exceeding three years” after the words “all of whom shall hold office at the Minister’s discretion”;**

**(f) in subsection (9), by the deletion of the words “shall be” and the substitution of the word “is”; and**

**(g) in subsection (12), by the deletion of the word “revoke” and the substitution of the word “suspend”.**

**4. Subsection 4(3) of the regulations is amended by the deletion of the words “designed, located and installed in accordance with these regulations” and the substitution of the words “designed, located, installed, constructed, reconstructed or modified in accordance with the standards and requirements prescribed in these regulations”.**

**5. (1) The following heading is added before section 5:**

FEES

**(2) Subsection 5(1) of the regulations is revoked and the following substituted:**

5. (1) The fees payable for an application are as follows:	Fees
(a) for an application by a contractor for a sewage disposal system permit.....	\$60.00
(b) for an application by a dwelling owner for a sewage disposal system permit.....	\$80.00
(c) for an application for a site suitability assessment per lot.....	\$50.00
(d) for an application for, or renewal of a pumper’s licence.....	\$200.00
(e) for an application for, or renewal of, a contractor’s licence.....	\$200.00
(f) for an application for, or renewal of, a qualified site assessor’s licence.....	\$200.00
(g) for an application to be registered as a registered installer, or to renew a registration as a registered installer.....	\$20.00

**6. (1) The following heading is added before section 6:**

CERTIFICATE OF COMPLIANCE

**(2) Section 6 of the regulations is amended by the deletion of the words “30 days” and the substitution of the words “60 days”.**

**7. The following heading is added before section 7:**

ORDER TO UNCOVER SYSTEM

**8. (1) The following heading is added before section 8:**

LOCATION — RESTRICTIONS

**(2) Subsection 8(1) of the regulations is amended by the deletion of the words “No portion of a sewage disposal system shall be constructed” and the substitution of the words “No contractor, registered installer or dwelling owner shall install or construct a sewage disposal system, or cause the same to be done.”.**

**9. The following is added after section 8:**

SEPTIC TANKS

**8.1** Section 9, Table A of Appendix A, and Appendix E prescribe the standards and requirements for

Standards and requirements

(a) septic tanks used in the installation, construction, reconstruction or modification of sewage disposal systems; and

(b) the sewer lines, effluent lines and grease interceptor tanks connected to such septic tanks.

**10. In the following provisions of the regulations, the words “source of potable water” are deleted and the word “well” is substituted:**

- (a) clause 9(1)(a);
- (b) clause 10(2)(a);
- (c) clause 10(3)(b);
- (d) clause 10(4)(b);
- (e) clause 11(1)(j);
- (f) subsection 11(4); and
- (g) section 18.

**11. (1) Subsection 9(2) of the regulations is revoked and the following substituted:**

- (2) A sewer line shall Sewer line
- (a) be constructed of sewer pipe that is straight, non-perforated, rigid, smooth bore, watertight, certified and of an SDR (or equivalent) grade;
  - (b) have sealed joints;
  - (c) be located a minimum of 3.0 m (10 ft) from any well;
  - (d) have certified, long-sweep fittings for changes in direction; and
  - (e) be located no closer than 450 mm (18 in) from a water line.

**(2) Subsection 9(3) of the regulations is amended by the deletion of the words “a minimum fall of 1.0 to 2.0 cm/m (1/8 to 1/4 in/ft) in the building sewer” and the substitution of the words “a minimum slope of two percent in the sewer line from the building to the tank”.**

**(3) Section 9 of the regulations is amended by the addition of the following after subsection (3):**

(3.1) An effluent line from a septic tank to a disposal field shall have a minimum slope of one percent. Effluent line

**(4) Subsection 9(5) of the regulations is revoked and the following substituted:**

- (5) A single-compartment septic tank shall have a riser section that Risers
- (a) is installed over the outlet opening in the top of the septic tank;
  - (b) has a watertight seal where it joins the tank;
  - (c) raises the outlet opening sufficiently to prevent flooding by surface water; and
  - (d) is equipped with a tamper-resistant lid labelled “DANGER—DO NOT ENTER”.

(5.1) Each compartment of a multiple-compartment septic tank shall have a riser section that is installed and equipped in accordance with the requirements of clauses (5)(a) to (d). Idem

(5.2) Every prefabricated septic tank shall be installed in accordance with the manufacturer’s recommendations. Installation of prefabricated septic tanks

**(5) Subsection 9(10) of the regulations is amended**

- (a) by the deletion of the words “all single family” and the substitution of the words “a dwelling unit”; and
- (b) by the addition of the words “of Appendix A” after the words “Table A”.

**(6) Subsection 9(11) of the regulations is amended**

**(a) in the words before clause (a), by the addition of the words “of Appendix A” after the words “Table A”;**

**(b) in clause (a), by the deletion of the words “1.5 times the flow” and the substitution of the words “two times the flow”;** and

**(c) in clause (b), by the deletion of the words “3/4 Q” wherever they occur and the substitution of the words “Q”.**

**(7) Subsection 9(12) of the regulations is amended by the deletion of the words “2040 litres (450 imperial gallons)” and the substitution of the words “2725 litres (600 imperial gallons)”.**

**(8) Section 9 of the regulations is amended by the addition of the following after subsection (13):**

(14) A septic tank serving a restaurant shall be fitted with an effluent filter that is installed in accordance with the manufacturer’s recommendations. Septic tank effluent filter

(15) A grease interceptor tank shall be installed in front of a septic tank serving a restaurant. Grease interceptor tank

(16) A grease interceptor tank installed in accordance with subsection (15) shall *Idem*

(a) be watertight;

(b) be constructed of

(i) precast concrete and shall conform with the standards for prefabricated concrete septic tanks required by subsection 9(6),

(ii) polyethylene and shall be certified as being in accordance with the latest CSA Standard for prefabricated septic tanks, or

(iii) any other material, other than steel, that is not subject to corrosion or decay, and which is approved by the authority having jurisdiction;

(c) have a minimum capacity of 2725 litres (600 imperial gallons);

(d) be connected only to a dishwasher or to a kitchen sink that does not have a garbage grinder; and

(e) be located not less than 1.5m (5 ft) from the building containing the dishwasher or kitchen sink to which the tank is connected.

(17) The capacity of a grease interceptor tank shall be calculated, for the purposes of clause (16)(c), in accordance with the equation set out in Appendix E. *Idem*

**9.1 (1) For the purposes of this section, a septic tank is abandoned if it is disconnected from a source of sewage on a parcel served by the septic tank.** Abandoned septic tank

(2) The owner of a parcel served by a septic tank shall ensure that the septic tank is decommissioned, in accordance with this section, by a licensed contractor within 10 days after the septic tank is abandoned. Decommissioning abandoned septic tank

(3) A licensed contractor shall decommission an abandoned septic tank Abandoned septic tank

(a) by removing the contents of the tank, disinfecting the tank and filling the tank with clean soil fill; or

(b) by removing the tank, disinfecting the resulting excavation and filling the excavation with clean soil fill.

(4) Where a licensed contractor decommissions an abandoned septic tank, the licensed contractor shall notify the authority having jurisdiction of the decommissioning. Notice

**12. Table A of the regulations, following section 9, is revoked and the following substituted:**

#### SEWAGE PUMPING STATIONS AND SIPHON CHAMBERS

**9.2** Section 10 prescribes the standards and requirements for Standards and requirements

(a) sewage pumping stations and siphon chambers used in the installation, construction, reconstruction or modification of sewage disposal systems; and

(b) the sewer lines connected to such pumping stations and siphon chambers.

**13. (1) Subsection 10(5) of the regulations is amended**

**(a) by the deletion of the word “and” after clause (c);**

**(b) by the deletion of the period after clause (d) and the substitution of a semicolon; and**

**(c) by the addition of the following after clause (d):**

(e) shall be wired in compliance with section 18 of the Canadian Electrical Code.

**(2) Clause 10(6)(d) of the regulations is amended by the addition of the words “or without requiring service personnel to enter the lift station” after the words “without having to completely dewater the pumping station”.**

**14. (1) The following is added after section 10:**

DISPOSAL FIELDS

**10.1** Sections 11 to 15 prescribe the standards and requirements for disposal fields used in the installation, construction, reconstruction or modification of sewage disposal systems. Standards and requirements

**(2) Clause 11(1)(a) of the regulations is amended by the deletion of the words “1.2 m (4 ft)” and the substitution of the words “0.6 m (2 ft)”.**

**(3) Subsection 11(2) of the regulations is revoked and the following substituted:**

(2) A disposal field shall be installed

(a) approximately parallel to the ground contour to spread the effluent across a longer slope interface; and

(b) with a minimum depth of 0.3 m (12 in) of permeable soil below the bottom of any trench of the disposal field. Installation of disposal field

**15. (1) Subsection 12(6) of the regulations is amended**

**(a) by the deletion of the semicolon after clause (e) and the substitution of a period; and**

**(b) by the deletion of the words “a minimum cover of 30 cm (12 in) of soil shall be placed over the barrier material.”.**

**(2) Section 12 of the regulations is amended by the addition of the following after subsection (7):**

(7.1) Barrier material shall be covered with between 0.3 m (12 in) and 0.4 m (15 in) of soil. Idem

**(3) Subsection 12(9) of the regulations is revoked and the following substituted:**

(9) Unless otherwise approved by the authority having jurisdiction, the bottom of standard disposal field trenches shall be Trenches

(a) level and of equal elevation; and

(b) not less than 45 cm (18 in) in width.

**(4) Subsection 12(10) of the regulations is amended by the addition of the words “on Category I or Category II lots” after the words “family dwellings”.**

**(5) Section 12 of the regulations is amended by the addition of the following after subsection (10):**

(10.1) The sewage disposal system installed on a lot with a water table between 0.6 m (2 ft) and 1.2 m (4 ft) below the soil surface shall be designed by a qualified engineer.

Designed systems  
for Category III  
properties

**(6) Subsection 12(11) of the regulations is amended by the deletion of the words “2040 litres (450 imperial gallons)” and the substitution of the words “2725 litres (600 imperial gallons)”.**

**16. (1) Subsection 14(7) of the regulations is amended**

**(a) by the revocation of clause (a) and the substitution of the following:**

- (a) the leaching chamber disposal field shall be installed
  - (i) approximately parallel to the ground contour,
  - (ii) with lines of chambers of equal length, and
  - (iii) with a minimum depth of 0.3 m (12 in) of permeable soil below the bottom of any trench of the disposal field;

**(b) in clause (d), by the deletion of the words “a minimum of 0.3m (12 in)” and the substitution of the words “between 0.3 m (12 in) and 0.4 m (15 in)”.**

**(2) Subsection 14(9) of the regulations is amended**

**(a) by the deletion of the word “and” after clause (a);**

**(b) by the deletion of the period after clause (b) and the substitution of the words “; and”;**

**(c) by the addition of the following after clause (b):**

- (c) subject to subsection (13), the minimum distance between the walls of adjacent trenches shall be 0.9 m (3 ft);
- (d) the minimum depth of permeable soil below the bottom of any trench shall be 0.3 m (12 in);
- (e) the lines of chambers shall be of equal length unless otherwise approved by the authority having jurisdiction; and
- (f) the slope across the disposal field area shall not be less than five percent.

**(3) Section 14 of the regulations is amended by the addition of the following after subsection (12):**

(13) When a leaching chamber disposal field is installed on a Category II lot, the minimum distance between the walls of adjacent trenches shall be 2.1 m (7 ft).

Minimum distances

**17. Subsection 15(7) of the regulations is amended**

**(a) by the deletion of the word “The” and the substitution of the word “A”;**

**(b) by the deletion of the word “standard” and the substitution of the word “standards”;**

**(c) by the addition of the following after clause (a):**

- (a.1) the minimum depth of permeable soil below the bottom of any trench shall be 0.3 m (12 in);

**(d) by the revocation of clause (i) and the substitution of the following:**

- (i) the barrier material shall be covered with between 0.3 m (12 in) and 0.4 m (15 in) of soil, as measured directly over the distribution pipe.

**18. (1) The following heading is added after section 15:**

SEWAGE HOLDING TANKS

**(2) Subsection 16(1) of the regulations is revoked and the following substituted:**

**16. (1)** No licensed contractor shall install or construct a sewage holding tank on an existing parcel, or cause it to be installed or constructed on such a parcel, without the approval of the authority having jurisdiction.

Sewage holding tank

(1.1) The authority having jurisdiction shall, on application, approve the installation or construction of a sewage holding tank on an existing parcel if

Permission to install

(a) a source of sewage presently exists on the parcel and, in the opinion of the authority having jurisdiction, no practical alternative disposal system can be installed; or

(b) the sewage holding tank is to be installed or constructed for commercial use and, in the opinion of the authority having jurisdiction, no practical alternative sewage disposal system can be installed or constructed.

(1.2) No licensed contractor shall install or construct a sewage holding tank, or cause it to be installed or constructed, unless the tank as installed or constructed complies with the requirements of this section.

Restriction

**(3) Subsection 16(3) is revoked and the following substituted:**

(3) Notwithstanding subsection (2), a sewage holding tank installed or constructed for a dwelling unit shall

Requirements for dwelling unit

(a) have a liquid holding capacity of not less than 4500 litres (1000 gallons);

(b) have a high liquid level alarm probe positioned at the 3/4 mark of the tank and which shall be connected to an alarm system in the dwelling unit that may easily be heard or monitored;

(c) be readily accessible to a pumping vehicle; and

(d) have a watertight pump out connection which does not allow the unauthorized discharge of sewage.

**(4) Section 16 of the regulations is amended by the addition of the following after subsection (3):**

(4) Notwithstanding subsection (2), a sewage holding tank installed or constructed to service a commercial establishment shall

Requirements for commercial use

(a) have a liquid holding capacity of not less than two days' storage and not less than 6800 litres (1500 gallons);

(b) have a high liquid level alarm (audiovisual)

(i) that is positioned at the 3/4 mark of the tank, and

(ii) connected to an alarm system in the commercial establishment that may easily be heard or monitored;

(c) be readily accessible to a pumping vehicle; and

(d) have a watertight pump out connection which will not allow unauthorized discharge of sewage.

**19. (1) The following heading is added after section 16:**

SITE SUITABILITY ASSESSMENTS

**(2) Section 17 of the regulations is amended**

**(a) by renumbering it as subsection 17(1);**

**(b) by the deletion of the word "property" in subsection 17(1) and the substitution of the word "lot"; and**

**(c) by the addition of the following:**

(2) A site suitability assessment of a lot must assess the lot as one of the lot categories established under section 23 of the *Planning Act* Subdivision and Development Regulations in accordance with the standards specified in that section.

Categories of lot

**(2) The regulations are amended by the addition of the following after section 17:**

**17.1 (1)** Subject to subsection (2), no person shall perform a site suitability assessment without first obtaining a site assessor's licence.

Site assessor's licence



- (2) A person may perform a site suitability assessment without a site assessor's licence if the person is a professional engineer, as defined under the *Engineering Profession Act*. Exceptions
- (3) An application for a site assessor's licence shall be Application for site assessor's licence  
 (a) made to the authority having jurisdiction in a form approved by the authority having jurisdiction; and  
 (b) submitted together with the fee prescribed in subsection 5(1).
- (4) The Minister shall, on application, grant a site assessor's licence to an applicant if Qualifications  
 (a) the application is made in accordance with subsection (3); and  
 (b) the applicant has  
 (i) at least two years of post secondary education in a related field of study, and  
 (ii) either  
 (A) has successfully completed a course of instruction established or adopted by the Board of Examiners, or  
 (B) holds a licence issued by another province or territory that the Minister considers to be equivalent to a site assessor's licence.
- (5) A site assessor's licence is not transferable. Licence not transferable
- (6) A site assessor's licence expires on the date indicated on the licence, which may not be more than 24 months from the date of issuance. Expiry
- (7) The Minister may suspend a site assessor's licence for such period as the Minister considers appropriate if the Minister is satisfied that the licence holder has engaged in conduct for which a contractor's licence may be suspended under subsection 3(12). Suspension

#### MISCELLANEOUS

**20. Section 19 of the regulations is amended by the deletion of the words "Sewage disposal systems shall be maintained" and the substitution of the words "The owner of a sewage disposal system shall ensure that the system is maintained".**

**21. (1) Subsections 22(1) and (2) of the regulations are revoked and the following substituted:**

**22. (1)** No person shall engage in the cleaning of a sewage disposal system or a wastewater treatment system, or in the land spreading of septage or sludge, unless the person Sewage disposal system cleaning

- (a) first obtains a pumper's licence from the Minister; and  
 (b) complies with the provisions of these regulations.

(2) The Minister shall, on an application for the issuance or renewal of a pumper's licence referred to in subsection (1), issue or renew the licence if the application Pumper's licence

- (a) is made in a form acceptable to the Minister; and  
 (b) is accompanied by the prescribed fee.

**(2) Subsection 22(3) of the regulations is amended**

**(a) in that portion before clause (a), by the addition of a colon after the words "the following conditions";**

**(b) by the addition of the following after clause (b):**

(b.1) septage or sludge shall be spread on the land using a diffuser plate or other equipment acceptable to the authority having jurisdiction;

**(c) by the deletion of the words "septage and sludge" wherever they occur and the substitution of the words "septage or sludge".**

**(3) Section 22 of the regulations is amended by the addition of the following after subsection (3):**

(3.1) No person shall place septage or sludge in any holding site without the prior approval of the authority having jurisdiction.

Holding of septage  
or sludge

(4) Subsection 22(4) of the regulations is amended by the deletion of the words “septage and sludge” and the substitution of the words “septage or sludge”.

(5) Subsection 22(6) of the regulations is revoked.

22. Section 23 of the regulations is revoked and the following substituted:

23. No person shall dispose of unstabilized sewage at any place other than a waste treatment system.

Disposal at waste  
treatment system

23. The regulations are amended in Appendix A

(a) by the addition of Table A, as set out in Schedule I of these regulations, immediately before Table A.1; and

(b) in Table A.1, by

(i) the addition of the word “Lot” after the words “Category I” and “Category II”, and

(ii) the deletion of the words “As defined in the *Planning Act* Regulations”.

24. The regulations are amended by the addition of Appendix E, as set out in Schedule II of these regulations, after Appendix D.

25. These regulations come into force on January 1, 2004.

#### SCHEDULE I

TABLE A  
STANDARD SEPTIC TANK CAPACITY

Number of bedrooms in dwelling unit	Minimum liquid capacity of septic tank	
	(litres)	(imperial gallons)
2 or less	2725	600
3	2725	600
4	3400	750
5	4090	900
6	4540	1000
7	5000	1100

#### SCHEDULE II

##### APPENDIX E

For a restaurant other than a cafeteria:

$$V \text{ grease} = D * (HR/2) * GL * ST * LF$$

Where: D = Number of seats in dining room  
 HR = Number of hours open per day  
 GL = Gallons of wastewater per meal (2 or more)  
 ST = Storage capacity (normally 2)  
 LF = Loading factor depending on restaurant location

- 1.25 - central locations
- 1.0 - recreational areas
- 0.5 to 0.8 - other locations

For a cafeteria:

$$V \text{ grease} = M * GL * ST * LF$$

Where: M = Total number of meals served per day  
 GL = Gallons of wastewater per meal (2 or more)

- ST** = Storage Capacity (normally 2)  
**LF** = Loading factor
- 1.0 with dishwasher
  - 0.5 without dishwasher

#### **EXPLANATORY NOTES**

**SECTION 1** amends the definitions in the regulations.

**SECTION 2** clarifies the meaning of references to categories of lots.

**SECTION 3** clarifies the obligations of a licensed contractor, removes a provision respecting the waiver of examinations, and states that the members of Board of Examiners hold office for a period not exceeding three years.

**SECTION 4** requires compliance by contractors, installers and dwelling owners with the requirements and standards prescribed by the regulations.

**SECTION 5** amends the fees payable for applications for licences and permits.

**SECTION 6** adds a heading and extends the time period for a licensed contractor to supply a certificate of compliance.

**SECTION 7** adds a heading.

**SECTION 8** adds a heading and clarifies who is not to construct a sewage disposal system near a beach.

**SECTIONS 9 to 11** make amendments to the provisions respecting septic tanks and sewer lines.

**SECTIONS 12 and 13** make amendments to the provisions respecting sewage pumping stations and siphon chambers.

**SECTIONS 14 to 17** make amendments to the provisions respecting disposal fields.

**SECTION 18** makes amendments to the provisions respecting sewage holding tanks.

**SECTION 19** makes amendments to the provisions respecting site suitability assessments.

**SECTIONS 20 to 22** clarify who has the duty to maintain a sewage disposal system and the requirements, such as obtaining a licence, for cleaning one. These sections also prohibit placing septage or sludge in a holding site without approval, and disposing of unstabilized sludge at any place other than a waste treatment system.

**SECTION 23** makes minor corrections to Appendix A of the regulations.

**SECTION 24** adds Appendix E respecting the methods for calculating the capacity of grease interceptor tanks.

**SECTION 25** provides for the commencement of these regulations.

#### **EC2003-428**

### **AN ACT TO AMEND THE FINANCIAL ADMINISTRATION ACT (NO. 2) DECLARATION RE**

Under authority of section 8 of *An Act to Amend the Financial Administration Act* Stats. P.E.I. 2003, 4th Session, c. 37 Council ordered that a Proclamation do issue proclaiming "An Act to Amend the Financial Administration Act (No. 2)" to come into force effective 23 August 2003.

## EC2003-429

**FINANCIAL ADMINISTRATION ACT  
FINANCIAL ASSISTANCE ENFORCEMENT REGULATIONS**

Pursuant to section 79 of the *Financial Administration Act*, R.S.P.E.I. 1988, Cap. F-9, Council made the following regulations:

**1. The licenses and permits prescribed for the purposes of clauses 4.1(1)(d) and 4.2(1)(e) of the Act are set out in the Schedule to these regulations.**

**2. These regulations come into force on August 23, 2003.**

**SCHEDULE**

**Prescribed Licenses and Permits**

<b>Issuing Department/ Agency</b>	<b>License/ Permit/ Certificate</b>	<b>Description of License/Permit</b>	<b>Enabling Act/Regulations</b>
Agriculture and Forestry	License	License to operate a companion animal establishment (pet store).	<i>Companion Animal Protection Act</i> Section 10.2
Agriculture and Forestry	License	License to process, grade, transport or distribute milk products.	<i>Dairy Industry Act</i> Regulations Section 2
Community and Cultural Affairs	Plant License	License for a person, firm or corporation storing or distributing gas, installing or servicing gas systems or equipment or operating a propane dispenser unit for filling portable cylinders.	<i>Boiler and Pressure Vessels Act</i> Regulations Section 9.09
Community and Cultural Affairs	Electrical Contractors License	License for a contractor to contract or engage for the work of installing, extending, changing or repairing of electrical installations.	<i>Electrical Inspection Act</i> Regulations Section 5
Community and Cultural Affairs	Electrical Permit	Permit for contractor to install, repair or change an electrical installation.	<i>Electrical Inspection Act</i> Regulations Section 17
Community and Cultural Affairs	Plant License	License for a heating plant, refrigeration plant and power plants - First to Fourth Class Plants and Refrigeration Class "A" and "B".	<i>Powers Engineer Act</i> Section 6
Education	Certificate of Registration and Annual Renewal of Certificate of Registration	Certificate or renewal of registration for owner or operator of a private training school.	<i>Private Training Schools Act</i> Section 4
Education	Licensing of Private Schools (Elementary or Secondary)	License for a private school that provides elementary or secondary school programs.	<i>School Act</i> Section 133
Fisheries, Aquaculture and Environment	Waste Resource Management Permit	Permit to build and operate a waste resource management facility.	<i>Environmental Protection Act</i> Waste Resource Management Regulations Sections 2 & 65

Fisheries, Aquaculture and Environment	Primary Processing License	License for operator of a processing establishment engaged in primary processing.	<i>Fisheries Act</i> Regulations Sections 3 & 4
Fisheries, Aquaculture and Environment	Secondary Processing License	License for operator of a processing establishment engaged in secondary processing.	<i>Fisheries Act</i> Regulations Sections 3 & 4
Fisheries, Aquaculture and Environment	License	License to operate a business offering the sale, use or application of pesticides.	<i>Pesticides Control Act</i> Regulations Sections 6 & 10
Health and Social Services	License	License issued to operate a child care facility.	<i>Child Care Facilities Act</i> Section 12
Health and Social Services	License	License to operate a community care facility or nursing home.	<i>Community Care Facilities and Nursing Homes Act</i> Section 9
Health and Social Services	License	License to practise as a pharmacist.	<i>Pharmacy Act</i> Section 9
Health and Social Services	License	License to operate a slaughterhouse for commercial purposes.	<i>Public Health Act</i> Section 10
Health and Social Services	Permit	Permit to operate an ambulance.	<i>Public Health Act</i> Section 29
Health and Social Services	Certificate	Certificate approving eating establishment or licensed premises.	<i>Public Health Act</i> Eating Establishments and Licensed Premises Regulations Section 41
Health and Social Services	License	License to operate a trailer court, camp ground or summer camp.	<i>Public Health Act</i> Summer Trailer Court, Tenting and Camp Areas Regulations Section 3
Health and Social Services	Permit	Permit to operate a swimming pool.	<i>Public Health Act</i> Swimming Pool and Waterslide Regulations Section 4
Provincial Treasury	Marked Gasoline/Diesel Oil Permit	Permit exempting farmers, fishers, aquaculturists and others to purchase gasoline/diesel oil tax exempt.	<i>Gasoline Tax Act</i> Regulations Section 15
Provincial Treasury	Manufacturer's License	License to tobacco manufacturers to sell tobacco products to wholesalers.	<i>Health Tax Act</i> Section 2
Provincial Treasury	Wholesaler Vendor's License	License to wholesalers to sell tobacco products to vendors.	<i>Health Tax Act</i> Section 2
Provincial Treasury	Retail Vendor's License	License to vendors to sell tobacco products to consumers.	<i>Health Tax Act</i> Section 2
Provincial Treasury	License	Annual license fee for entertainment devices.	<i>Revenue Tax Act</i> Section 5

Provincial Treasury	Revenue Tax Exemption Permit	Permit exempting farmers, fishers and aquaculturists to purchase specific items tax exempt.	<i>Revenue Tax Act</i> Section 12
Provincial Treasury	Vendor Registration Certificate	Certificate exempting a retail vendor to purchase goods for resale tax exempt.	<i>Revenue Tax Act</i> Section 14
Tourism Liquor Control Commission	Brew Pub License	License for the sale and manufacture of beer brewed on the premises to patrons of licensed premises.	<i>Liquor Control Act</i> Section 11
Tourism Liquor Control Commission	Caterer's License	License held by the holder of a Dining Room License authorizing the sale of alcohol at a location approved by the Commission.	<i>Liquor Control Act</i> Section 11
Tourism Liquor Control Commission	Club License	License for the sale of alcohol to club members and guests in licensed premises.	<i>Liquor Control Act</i> Section 11
Tourism Liquor Control Commission	Dining Room License	License for the sale of alcohol with food to the general public in restaurants.	<i>Liquor Control Act</i> Section 11
Tourism Liquor Control Commission	Lounge License	License for the sale of alcohol to the public in licensed premises.	<i>Liquor Control Act</i> Section 11
Tourism Liquor Control Commission	Military Canteen License	License for the sale of alcohol to members and guests in licensed premises.	<i>Liquor Control Act</i> Section 11
Tourism Liquor Control Commission	Special Premises License	License for the sale of alcohol to persons not disqualified by the Act and under conditions specified by the Commission.	<i>Liquor Control Act</i> Section 11
Tourism Liquor Control Commission	Tourist Home License	License for the sale of alcohol to registered guests of a Tourist Home for consumption on the premises.	<i>Liquor Control Act</i> Section 11
Tourism Liquor Control Commission	Winery, Brewers, Micro Brewery, Distiller's Licenses	Licenses for the manufacture of alcoholic beverages and the sale of alcoholic beverages as approved by the Commission.	<i>Liquor Control Act</i> Section 11
Tourism Liquor Control Commission	Class II Permits	Permit for the holder to purchase and have in possession alcohol and to sell alcohol for consumption at any event of a private nature held in premises specified in the permit to persons invited to attend.	<i>Liquor Control Act</i> Section 22

#### EXPLANATORY NOTES

**SECTION 1** outlines the licenses and permits that are subject to the new provisions of the Act under which Treasury Board may direct a Minister or public officer to revoke a license or permit or to refuse to issue, grant or renew a license or permit to an applicant under an enactment unless the applicant has either repaid any outstanding loan or financial assistance provided to the applicant by Government, or has fulfilled any obligation under a guarantee to pay a debt or obligation owing to Government.

**SECTION 2** provides for the commencement of these regulations.

**EC2003-430**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
SUSAN MURPHY AND VINCENT GAGLIARDI  
(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 Susan Murphy and Vincent Gagliardi, both of Toronto, Ontario to acquire a land holding of approximately twenty-two decimal five (22.5) acres of land in Lot 21, Queens County, Province of Prince Edward Island, being acquired from Vernon Campbell and Bertha Campbell, both of Kensington, Prince Edward Island PROVIDED THAT the portion of the property not approved for subdivision, being approximately thirteen decimal five (13.5) acres, is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2003-431**

PROVINCIAL EMBLEMS AND HONOURS ACT  
ORDER OF PRINCE EDWARD ISLAND ADVISORY COUNCIL  
APPOINTMENTS

Pursuant to clause 6(2)(d) of the *Provincial Emblems and Honours Act* R.S.P.E.I. 1988, Cap. P-26.1 Council made the following appointments:

NAME	TERM OF APPOINTMENT
for Prince County	
Sharon Wedge	8 July 2003
Kildare Capes	to
(reappointed)	8 July 2005
for Queens County	
Simon Compton	8 July 2003
Stratford	to
(reappointed)	8 July 2005
for Kings County	
Robert Rose	8 July 2003
Lakeville	to
(reappointed)	8 July 2005

Further, Council designated Sharon Wedge to continue as chairperson of the Council for the duration of her term as a member, in accordance with subsection 6(4) of the said Act.



## EC2003-432

**REVENUE TAX ACT  
REGULATIONS  
AMENDMENT**

Pursuant to 57 of the *Revenue Tax Act* R.S.P.E.I. 1988 Cap. R-14, Council made the following regulations:

**1. (1) Section 12 of the *Revenue Tax Act* Regulations (EC2003-432) is amended by the addition of the following:**

(9.1) The Minister may refund the tax paid by an aquaculturist in possession of a valid Revenue Tax Exemption Permit on the purchase of goods where Aquaculture  
equipment, refund

- (a) the goods purchased are of the following types:
  - (i) an all-terrain vehicle (4x4 with a minimum 400cc engine displacement),
  - (ii) a fork lift,
  - (iii) a front end loader,
  - (iv) a snowblower or snowplow for attachment to exempt equipment,
  - (v) a tractor (compact utility class or higher);
- (b) application is made in writing by the aquaculturist seeking the refund;
- (c) original invoices, receipts and other documentation verifying purchases by the aquaculturist are presented;
- (d) the goods were purchased within four years of the date of application; and
- (e) evidence is submitted, satisfactory to the Minister, that the goods purchased have been used exclusively in the practice of aquaculture and not in any other commercial operation.

**(2) Section 12 of the regulations is amended by the addition of the following:**

(9.01) The Minister may refund the tax paid by a farmer in possession of a valid Revenue Tax Exemption Permit on the purchase of goods where Farm equipment  
refund

- (a) the goods purchased are of the following types:
  - (i) an all-terrain vehicle (4x4 with a minimum 400cc engine displacement),
  - (ii) a snowblower or snowplow for attachment to tax exempt equipment;
- (b) application is made in writing by the farmer seeking the refund;
- (c) original invoices, receipts and other documentation verifying purchases by the farmer are presented;
- (d) the goods were purchased within four years of the date of application; and
- (e) evidence is submitted, satisfactory to the Minister, that the goods purchased have been used exclusively in a farming operation and not in any other commercial operation.

**2. Section 25 of the regulations is revoked and the following substituted:**

**25.** For the purpose of clause 12(1)(f) of the Act, "machinery and equipment including parts therefor" means the following goods when purchased by a farmer for farm use and not for any other commercial operation: Farm machinery  
and equipment

-A-

alarm systems that monitor temperature and humidity levels, if used to prevent death or damage to livestock or crops  
apiary equipment  
artificial insemination equipment  
auxiliary power generators  
axes

**-B-**

bale elevators and loaders  
bale shredders, grapples and spears  
barn and stable cleaning equipment  
bees  
blacksmith tools  
buckets and pails  
bulk boxes specifically designed to haul farm products, fertilizer or pesticides and attached to farm wagons or trailers not registered for highway use or to a motor vehicle that is registered as a "farm truck" under the *Highway Traffic Act* Farm Truck Registration Regulations (EC356/74)

**-C-**

calcium chloride for farm tractor tires  
carcass incinerators  
chain saws and buck saws  
chains for farm tractor tires  
chemical application equipment, either self-propelled or for attachment to farm tractors  
containers used to process, ship or deliver farm products, but not including containers mounted on trucks or trailers  
crop handling equipment  
crop harvesting equipment, either self-propelled or for attachment to farm tractors  
crop nutrients  
crop planting equipment, either self-propelled or for attachment to farm tractors  
crop protectants

**-D-**

dump boxes, attached to farm wagons or trailers not registered for highway use or to a motor vehicle that is registered as a "farm truck" under the *Highway Traffic Act* Farm Truck Registration Regulations

**-E-**

egg handling and grading equipment  
electric motors for use on farm machinery  
electronic controls and GPS systems for farm machinery  
equipment used to skin, flesh and preserve animal pelts  
equipment used to ventilate, dry, humidify, refrigerate or aerate farm products

**-F-**

farm trailers not required to be registered under the *Highway Traffic Act*  
farm wagons not required to be registered under the *Highway Traffic Act*  
fencing equipment  
fertilizer and lime application equipment, for attachment to farm tractors  
flat beds attached to farm wagons or trailers not registered for highway use or to a motor vehicle that is registered as a "farm truck" under the *Highway Traffic Act* Farm Truck Registration Regulations  
fork lifts, either self-propelled or for attachment to farm tractors  
forks  
fox tongs  
front end loaders, either self-propelled or for attachment to farm tractors

**-G-**

grease  
greenhouse glass cleaning equipment  
greenhouse material handling equipment  
greenhouse thermostats and humidistats  
greenhouse watering systems

**-H-**

hay and forage crop harvesting equipment, either self-propelled or  
for attachment to farm tractors  
heaters (salamanders)  
heating systems for incubators or farrowing crates  
hoes  
horse harness and hardware  
horseshoes  
hydrometers

**-I-**

incubation equipment and supplies

**-L-**

livestock  
labels for packaging of farm products for sale  
ladders designed for fruit picking  
land drainage tile  
land irrigation systems  
land tillage and cultivating equipment, for attachment to farm  
tractors  
light bulbs  
Tough skin bulbs or Teflon coated bulbs  
HID Lamps  
HPS or LPS (high or low pressure sodium)  
MH (metal halide or multi vapor)  
MV (mercury vapor)  
Infrared heat lamps  
Plant grow lamps  
lightning rods  
livestock  
livestock bedding materials  
livestock feed and feed additives  
livestock feeding equipment, systems and controls  
livestock grooming and cleaning equipment  
livestock handling equipment  
livestock health maintenance and monitoring equipment  
livestock identification equipment  
livestock protective equipment  
livestock watering equipment

**-M-**

manure handling equipment  
manure spreaders  
milking and milk storage equipment  
mulch

**-O-**

oil

**-P-**

parts designed for any goods exempted in this section  
plants  
potting machine  
prefabricated or portable storage bins  
protective clothing and devices used in the distribution of controlled  
chemicals  
pruning clippers and shears

**-R-**

rakes  
removable pens, crates, stalls and flooring for livestock  
repair labour to service any goods referred to in this section  
rock pickers  
rope

**-S-**

scales and weight tapes  
seed treaters  
seeds

shovels  
silo unloaders  
skid steer loaders and fork lifts  
soil additives and pasteurizers  
sub soilers

**-T-**

tarpaulins  
tow cables  
tractors (compact utility class or greater)  
two-way radio equipment for use on farm machinery

**-V-**

ventilation equipment for farm buildings  
veterinary services and supplies

**-W-**

weed and stubble burners  
welding supplies  
wheelbarrows  
wool cards

**3. Section 28 of the regulations is revoked and the following substituted:**

**28.** For the purpose of clause 12(1)(f.1) of the Act, “boats, fishing nets and other apparatus, including parts therefor” means the following goods when purchased by a fisherman for commercial fishery use and not for any other commercial operation: Commercial fishing and apparatus

**-A-**

aluminum pen boards and stanchions  
anchors, mooring, trap and trawl  
anti-fouling compound  
aprons

**-B-**

bait  
bait freezers  
barometers  
batteries for boats  
bilge pumps  
binnacles  
bluestone  
boat bailers  
boats (fishing), dinghies, dories, skiffs and scows  
buoys, floats and markers  
burlap net covers

**-C-**

cables  
chafing gear or hides  
chains  
charts, tide and navigation  
chocks  
cleaning tools including brushes, mops and brooms  
clocks for boats  
connectors  
counters, tallying  
crates, scale baskets and stowage and storage baskets

**-D-**

depth sounders  
dipnets  
direction finders  
dye (for nets and traps)

**-E-**

electric light bulbs for use on boats (6, 12 and 32 volts)  
electric motors for operating pumps and equipment  
engine room telegraph

engines for boats

**-F-**

fast eye blocks  
fenders  
fish bugs, hooks, jigs, lines, lures and sinkers  
fish storage tanks  
fishing nets and netting  
floats for nets  
fog horns and bells  
forks

**-G-**

gaffs  
galley stoves and ranges  
galvanized steering blocks  
gas tanks for boats  
gloves  
GPS equipment  
grub hoes  
gurdies

**-H-**

hatch covers  
hoists on boats  
hydraulic pumps, motors, fittings, hoses and valves  
hydraulic steerers and auto pilots

**-I-**

ice-making machines

**-K-**

knives, splitting, skinning, filleting, gutting and shucking and other  
such equipment

**-L-**

lamps for use on boats  
lobster measures, plugs and rubber bands  
lobster traps  
loose hook blocks

**-M-**

marine paint  
marine refrigerators  
marine stoves and furnaces  
marine toilets and sinks  
measuring boards  
mending twine for nets  
moss rakes  
motors, inboard and outboard, for fishing boats

**-N-**

navigation and port lights  
needles for netting  
net moorings and winches  
nets  
netting leads

**-O-**

oars  
otter chains, discs, lifters, rollers and spacers  
otter combination rope  
otter trawl door and floats  
otter trawl leather, nets  
oyster harrows, rakes, scoops, scythes, spreaders, threshers and  
tongs

**-P-**

pails  
parts for any goods in this section

power blocks  
preservatives for nets and lines  
propellers  
pumps for boats

**-Q-**

quadrants

**-R-**

radar equipment  
radio telephones for fishing boats  
refrigeration equipment for fishing boats  
repair labour to service any goods referred to in this section  
resin and fibreglass matting  
rope  
row locks  
rubber clothing and footwear

**-S-**

sails for fishing boats  
scallop bags and ties  
seam paint and filler  
shackles  
shovels  
signal bells  
snatch blocks  
stays  
survival suits

**-T-**

tarpaulins  
tide tables  
trap dumpers, haulers and lifters  
trolling bells, blocks, springs and swivels  
turnbuckles

**-V-**

ventilators

**-W-**

wash down pumps for boats  
weigh scales  
wet suits  
winches and pulleys on boats  
wire cable

**4. Section 28.1 of the regulations is revoked and the following substituted:**

**28.1** For the purpose of clause 12(1)(f.1) of the Act, the following goods are exempt from tax when purchased by an aquaculturist for use in the practice of aquaculture and not in any other commercial operation: Aquaculture  
supplies

**-A-**

aerators  
alarms and monitoring equipment  
anaesthetics, antibiotics, disinfectants, medicines, pharmaceuticals  
and vaccines for aquatic species  
anchors for mooring of boats, cages and lines  
anti-fouling compounds  
aprons  
augers for harvesting through ice  
axes for harvesting through ice

**-B-**

baler twine (to reinforce mussel socks)  
barometers  
batteries for boats  
bilge pumps  
binnacles

boat bailers  
boats (fishing), dinghies, dories, skiffs and scows  
bunge cord  
buoys, floats and markers

**-C-**

cables  
cages and tanks  
cement troughs for dipping oyster collectors  
chain saws (minimum 70cc with 2 foot bar)  
chains  
charts, tide and navigation  
cleaning tools including brushes, mops and brooms  
clocks for boats  
collector supports, including stands, flotation devices and long lines  
connectors  
conveyors  
counters, tallying  
crates, scale baskets and stowage and storage boxes

**-D-**

depth sounders  
dimmers to control lighting  
dipnets  
dissolved oxygen metres

**-E-**

electric light bulbs for use on boats (6, 12 and 32 volts)  
electric motors for operating pumps and equipment  
engines for boats  
escalators

**-F-**

fan belts designed for machinery and equipment used by  
aquaculturists  
fans for hatchery ventilation  
feed storage boxes and bins  
feeders  
fenders  
fish eggs  
fish feed  
fish feed additives  
fish feed mixers and grinders  
fish grading equipment  
fish tags and tagging devices  
fishing nets and netting  
floats for nets  
fog horns and bells  
freezers for quick freezing, except cold storage units

**-G-**

gaffs  
gas tanks for boats  
gear boxes for operating pumps and equipment  
generators, auxiliary  
GPS equipment

**-H-**

hatch covers  
heaters (salamander)  
hoists for feed and fish handling  
hydraulic pumps, motors, fittings, hoses and valves  
hydraulic steerers and auto pilots  
hydrometers, PH meters, temperature and salinity meters and  
thermometers

**-I-**

ice-making machines  
incubators

**-K-**

knives, splitting, skinning, filleting, gutting and shucking and other such equipment

**-L-**

lamps for use on boats  
lifting devices  
lime (bluestone) used to kill starfish  
live fish  
live spat  
loose hook blocks

**-M-**

marine paint  
marine refrigerators  
marine stoves and furnaces  
marine toilets and sinks  
measuring boards  
medicine for aquatic species  
mending twine for nets  
microscopes and laboratory glassware  
motors, inboard and outboard, for fishing boats  
mussel de-clumping, debasing, washing and grading equipment

**-N-**

needles for netting  
netting for cages and pens

**-O-**

oars  
oxygen generating equipment  
oyster harrows, rakes, scoops, scythes, spreaders, threshers and tongs

**-P-**

pails  
parts for any goods referred to in this section  
plastic locking zip ties  
plastic socks, mesh bags and Japanese lanterns  
pre-manufactured fish feeders  
pre-manufactured fish tanks having a minimum volume of one cubic metre  
preservatives for nets and lines  
propellers  
pumps for boats

**-Q-**

quadrants

**-R-**

radar equipment  
radio telephones for fishing boats  
refrigeration equipment for the preservation of fish food and fish before delivery to a buyer  
repair labour to service any goods referred to in this section  
resin and fibreglass matting  
rope  
row locks  
rubber clothing and footwear

**-S-**

scoops  
seam paint and filler  
shackles  
shot, teleshot, scare cannons for scaring sea ducks  
shovels  
signal bells  
sinkers for mussel socks  
sleds used in harvesting aquaculture products  
smokers



socking materials  
spat collectors and Chinese hats  
stainless steel hog rings  
starter's pistols for scaring birds  
stocking-stuffer tables  
survival suits

-T-

tarpaulins  
temperature chart recorders  
timers to control lighting  
towing devices and hitches attached to exempt vehicles  
trailers and wagons used to transport aquacultural products or  
equipment to and from aquaculture beds or fish farms and not  
required to be licensed  
turnbuckles

-V-

ventilating systems for processing plants and warehouses  
vexar material for oyster socking

-W-

wash down pumps for boats  
water and soil analyzers  
water circulation systems including pumps, pipes, valves, filters and  
fittings  
water heaters  
water testing equipment  
water treatment chemicals  
weigh scales  
wet suits  
winches and pulleys not attached to vehicles required to be  
registered under the *Highway Traffic Act*  
wire cable

**5. (1) Subsection 1(1) and sections 3 and 4 are deemed to have come into force on January 1, 2000.**

**(2) Subsection 1(2) and section 2 are deemed to have come into force on April 1, 2002.**

#### EXPLANATORY NOTES

**SECTION 1** allows a tax refund to be paid to an aquaculturist or a farmer in respect of the purchase of certain equipment used to practice farming or aquaculture.

**SECTION 2** provides an amended list of taxable goods that may be purchased tax exempt by a farmer for use in that industry and for no other commercial purpose.

**SECTION 3** provides an amended list of taxable goods that may be purchased tax exempt by a commercial fisherman for use in that industry and for no other commercial purpose.

**SECTION 4** revokes the current list of goods that may be purchased tax exempt by an aquaculturist and replaces it with a revised list.

**SECTION 5** provides for the commencement of these regulations.

**EC2003-433****ROADS ACT  
HIGHWAY ACCESS REGULATIONS  
AMENDMENT**

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

**1. Schedule A-1, ARTERIAL HIGHWAYS, of the *Roads Act* Highway Access Regulations (EC580/95) is amended****(a) by the revocation of subsection 1(1) and the substitution of the following:**

(1) Route 1, the Trans Canada Highway, from the eastern boundary of the property owned by the Government of Canada connecting to the Confederation Bridge in the Community of Borden-Carleton to the intersection of the Upton Road in the City of Charlottetown and from the intersection of Grafton Street in the City of Charlottetown to the intersection of Route 210 in the settlement of Orwell.

**(b) by the revocation of subsection 1(3) and the substitution of the following:****(3) Route 2:**

(a) commencing at the intersection of Route 305 in the Town of Souris to the intersection of the Charlottetown Perimeter Highway in the City of Charlottetown (formerly in the Community of Sherwood); and

(b) re-commencing at the intersection of the Charlottetown Perimeter Highway in the City of Charlottetown (formerly in the Community of West Royalty) to the intersection of Route 153 in the Community of Tignish.

**(c) by the revocation of subsection 2(2) and the substitution of the following:**

(2) The Charlottetown Perimeter Highway from the intersection of the Upton Road in the City of Charlottetown to the intersection of Route 2 (at St. Peters Road) in the City of Charlottetown.

**(d) by the revocation of subsection 3(3).****2. Schedule A-3, INFILLING AREAS, of the regulations is amended****(a) by the revocation of clause 1(1)(a);****(b) by the deletion of the semicolon after subclause 1(1)(c)(ii) and the substitution of a period; and****(c) by the revocation of clause 1(1)(d).****3. These regulations come into force on August 23, 2003****EXPLANATORY NOTES**

**SECTION 1** provides the correct description of Route 1 of the Trans Canada Highway in Borden - Carleton since the construction of the Confederation Bridge. It also renames references to the Communities of Sherwood and West Royalty to the City of Charlottetown. The section corrects the proper designation of the Charlottetown Perimeter Highway as an arterial highway from the intersection of Upton Road to the intersection of Route 2 at the St. Peters Road and revokes Promenade Acadienne as an arterial highway.

**SECTION 2** revokes a portion of arterial highway in the Community of Borden - Carleton for infilling and revokes a portion of arterial highway in the City of Charlottetown for infilling.

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

**EC2003-434****ROADS ACT  
HIGHWAY ACCESS REGULATIONS  
AMENDMENT**

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

**1. Schedule C-2, LOCAL (CLASS 2) HIGHWAYS, of the *Roads Act Highway Access Regulations (EC580/95)* is amended by the addition of the following after subsection 1(333):**

(333.1) **Road Index 11250:** The paved portion of Road Index 11250 in the settlement of Woodstock commencing at the intersection of Route 136 for a distance of 1.3 km.

**2. These regulations come into force on August 23, 2003.**

**EXPLANATORY NOTES**

The amendment classifies 1.3 kilometers of Road Index 11250 in the settlement of Woodstock as C-2 paved local highway to enable the Department of Transportation and Public Works to provide year-round maintenance to it, thereby adding the road to the public highway system.

**EC2003-435****ROADS ACT  
OPERATOR OF AN APPROVED WEIGHING DEVICE  
DESIGNATION**

Under authority of subsection 52(7) of the *Roads Act* R.S.P.E.I. 1988, Cap. R-15 Council designated Stephen R. Clory of Georgetown as being qualified to operate an approved weighing device effective 23 August 2003.

**EC2003-436****SUMMARY PROCEEDINGS ACT  
TICKET REGULATIONS  
AMENDMENT**

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

**1. Schedule 2 of the *Summary Proceedings Act Ticket Regulations (EC321/01)* is amended by the revocation of the table entitled the “ENVIRONMENTAL PROTECTION ACT Sewage Disposal Systems Regulations (EC403/03)” and the substitution of the following:**

**ENVIRONMENTAL PROTECTION ACT  
Sewage Disposal Systems Regulations  
(EC403/03)**

1	Installing etc. sewage disposal system without a licence.....	3(1)	200 (individual) 1000 (corporation)
2	Permitting the installation etc. of sewage disposal system without licensed contractor or registered installer on site.....	3(2)	200 (individual) 1000 (corporation)
3	Failing to ensure work carried out in compliance with regulations.....	3(3)	200 (individual) 1000 (corporation)
4	Construction, reconstruction, installation or modification of sewage disposal system without a permit.....	4(1)(a)	200 (individual) 1000 (corporation)
5	Construction, reconstruction, installation or modification of sewage disposal system without having permit in possession on site.....	4(1)(c)	200 (individual) 1000 (corporation)

6	Installing etc. sewage disposal system not in accordance with regulations.....	4(3)	200 (individual) 1000 (corporation)
7	Covering sewage disposal system without obtaining permission.....	4(5)	200 (individual) 1000 (corporation)
8	Deviating from conditions of permit.....	4(6)	200 (individual) 1000 (corporation)
9	Failing to furnish certificate of compliance.....	6	200 (individual) 1000 (corporation)
10	Constructing sewage disposal system within 23m of a beach.....	8(1)(b)	200 (individual) 1000 (corporation)
11	Failing to ensure abandoned septic tank is properly decommissioned within 10 days.....	9.1(2)	200 (individual) 1000 (corporation)
12	Failing to decommission abandoned septic tank as required.....	9.1(3)	200 (individual) 1000 (corporation)
13	Failing to notify authority of decommissioning of abandoned septic tank.....	9.1(4)	200 (individual) 1000 (corporation)
14	Installing or constructing sewage holding tank on existing parcel without approval.....	16(1)	200 (individual) 1000 (corporation)
15	Installing or constructing sewage holding tank not in compliance with regulations.....	16(1.2)	200 (individual) 1000 (corporation)
16	Performing site suitability assessment without a licence.....	17.1(1)	200 (individual) 1000 (corporation)
17	Cleaning sewage disposal systems or landspreading septage or sludge without a licence or without complying with regulations.....	22(1)	200 (individual) 1000 (corporation)
18	Placing septage or sludge in holding site without prior approval.....	22(3.1)	200 (individual) 1000 (corporation)
19	Disposing of unstabilized sewage at a place other than a waste treatment system.....	23	200 (individual) 1000 (corporation)

**2. These regulations come into force on January 1, 2004.**

**EXPLANATORY NOTES**

The amendments update the offence provisions in the *Summary Proceedings Act* Ticket Regulations for the *Environmental Protection Act* Sewage Disposal Systems Regulations.

**EC2003-437**

SUPREME COURT ACT  
RULES OF CIVIL PROCEDURE  
SEVENTH SERIES OF AMENDMENTS  
TO THE  
1996 CONSOLIDATION  
AND  
PUBLICATION MANNER  
DETERMINED

Under authority of subsection 25(1) of the *Supreme Court Act*, R.S.P.E.I. 1988, Cap. S-10 Council approved the Seventh Series of Amendments to the 1996 Consolidated Version of the Rules of Civil Procedure, said amendments having been made by the Rules Committee at its various meetings held between October, 2002 and June, 2003 and all to come into force except Rule 74 on the 1st day of September 2003. Rule 74 shall come into force on the 1st day of January 2004.

Further, under authority of subsection 25(2) of the said Act, Council determined that publication of a Notice in the Royal Gazette shall be deemed to be publication of the approved Seventh Series of Amendments to the 1996 Consolidated Version of the Rules of Civil Procedure and that no further publication relating to the said Amendments shall be necessary.