

EC2003-649

ENERGY CORPORATION ACT
PRINCE EDWARD ISLAND ENERGY CORPORATION
AUTHORITY TO BORROW
(TO RESCIND)

Council, having under consideration Order-in-Council EC2003-498 of 2 September 2003, rescinded the said Order forthwith, thus rescinding authorization for the Prince Edward Island Energy Corporation to borrow up to six million eight hundred thousand dollars (\$6,800,000.00) as bridge financing for the planned expansion of the North Cape Wind Farm.

EC2003-650

ENERGY CORPORATION ACT
PRINCE EDWARD ISLAND ENERGY CORPORATION
AUTHORITY TO BORROW

Pursuant to subsection 8(2) of the *Energy Corporation Act* R.S.P.E.I 1988, Cap. E-7 Council authorized the Prince Edward Island Energy Corporation to borrow up to six million, eight hundred thousand dollars (\$6,800,000.00) from the Provincial Treasurer to serve as short term capital financing for the planned expansion of the North Cape Wind Farm.

EC2003-651

ENVIRONMENTAL PROTECTION ACT
ISLAND WASTE MANAGEMENT CORPORATION ORDER
ISLAND WASTE MANAGEMENT CORPORATION
CHIEF EXECUTIVE OFFICER - APPOINTMENT
CLEVE J. MYERS
(TO RESCIND)

Council, having under consideration Order-in-Council EC1999-333 of 6 July 1999, rescinded the said Order thus rescinding the appointment of Cleve J. Myers as Chief Executive Officer of the Island Waste Management Corporation effective 1 December 2003.

EC2003-652

ENVIRONMENTAL PROTECTION ACT
ISLAND WASTE MANAGEMENT CORPORATION ORDER
ISLAND WASTE MANAGEMENT CORPORATION
CHIEF EXECUTIVE OFFICER - APPOINTMENT
GERRY L. MOORE
(APPROVED)

Pursuant to subsection 11(1) of the Island Waste Management Corporation Order EC1999-262 of 25 May 1999, Council appointed Gerry L. Moore of Charlottetown to serve for the period 1 December 2003 through 1 December 2004 as Chief Executive Officer of the Island Waste Management Corporation.

EC2003-653

EXECUTIVE COUNCIL ACT
MINISTER OF AGRICULTURE, FISHERIES, AQUACULTURE
AND FORESTRY
AUTHORITY TO ENTER INTO AN AGREEMENT
(AMENDING AGREEMENT NO. 1
CANADA-PRINCE EDWARD ISLAND AGREEMENT
ESTABLISHING THE BSE RECOVERY PROGRAM)
WITH THE
GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Agriculture, Fisheries, Aquaculture and Forestry to enter into an agreement with the Government of Canada, as represented by the Minister of Agriculture and Agri-Food, to amend the Canada-Prince Edward Island Agreement Establishing the BSE Recovery Program to provide additional assistance, such as more particularly described in the draft agreement.

EC2003-654

EXECUTIVE COUNCIL ACT
MINISTER OF ENVIRONMENT AND ENERGY
AUTHORITY TO ENTER INTO AN AGREEMENT
(CANADA-WIDE STANDARDS FOR DIOXINS AND FURANS:
CONICAL WASTE COMBUSTION OF MUNICIPAL WASTE)
WITH
CANADA, THE PROVINCES AND THE TERRITORIES

Pursuant to clause 10(a) and (b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Environment and Energy to enter into an agreement with the Government of Canada and the governments of the other participating provinces and the territories, as represented by their respective Ministers responsible for the environment, to reduce dioxins and furans released to the atmosphere by developing a Canada-wide standard to phase out and prevent the operation of conical waste combustors, such as more particularly described in the draft agreement.

EC2003-655

EXECUTIVE COUNCIL ACT
 PREMIER PAT BINNS
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (COUNCIL OF THE FEDERATION FOUNDING AGREEMENT)
 WITH THE
 GOVERNMENTS OF THE PROVINCES
 AND THE TERRITORIES

Pursuant to clause 10(b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized Pat Binns, Premier and President of the Executive Council, to enter into an agreement with the governments of the other provinces and the territories, as represented by their respective Premiers, to establish a Council of the Federation to address present and future challenges facing the federation and to meet the changing needs of Canadians by strengthening interprovincial-territorial cooperation, exercising leadership on national issues and promoting effective relations between and among governments, such as more particularly described in the draft agreement.

EC2003-656

FINANCIAL ADMINISTRATION ACT
 COMMUNITIES 13 INC.
 GUARANTEE OF LOAN

Having under consideration the recommendation of Treasury Board (reference Minute TB#268/03 of 5 November 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 demand loan by Communities 13 Inc. (hereinafter referred to as "the borrower") in an amount not exceeding three hundred and twenty-seven thousand dollars (\$327,000.00) (hereinafter referred to as the "guaranteed indebtedness") together with interest thereon at the monthly prime rate to the Metro Credit Union of Charlottetown, Prince Edward Island (hereinafter referred to as "the lender"), from the 18th day of November, 2003 through to and including 1700 hours on the 23rd day of November 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 23rd day of November 2004.
2. Any advances made by the lender after the 23rd day of November 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 23rd day of November 2004 regardless of any advances that may have been made by the lender to the borrower unless on or before the 23rd day of November 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 he 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.

EC2003-657

FINANCIAL ADMINISTRATION ACT
ADVISORY COUNCIL ON THE STATUS OF WOMEN
DECLARATION TO RECOUP LOSS
(FISCAL YEAR 2002/2003)

Having under consideration the recommendation of the Treasury Board (reference TB#277/03 of 5 November 2003) and pursuant to section 72 of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council declared that the accumulated deficit as at 31 March 2003 of the Advisory Council on the Status of Women in the amount of \$96.00 be recouped from the future operations of the Corporation.

EC2003-658

FINANCIAL ADMINISTRATION ACT
PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION
DECLARATION TO RECOUP LOSS
(FISCAL YEAR 2002/2003)

Having under consideration the recommendation of the Treasury Board (reference TB#277/03 of 5 November 2003) and pursuant to section 72 of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council declared that the accumulated deficit as at 31 March 2003 of the Prince Edward Island Human Rights Commission in the amount of \$3,648.00 be recouped from the future operations of the Corporation.

EC2003-659

FINANCIAL ADMINISTRATION ACT
ISLAND WASTE MANAGEMENT CORPORATION
DECLARATION TO RECOUP LOSS
(FISCAL YEAR 2002/2003)

Having under consideration the recommendation of the Treasury Board (reference TB#274/03 of 5 November 2003) and pursuant to section 72 of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council declared that the accumulated deficit as at 31 March 2003 of the Island Waste Management Corporation in the amount of \$179,000.00 be recouped from the future operations of the Corporation.

EC2003-660

FINANCIAL ADMINISTRATION ACT
 P.E.I. LENDING AGENCY
 DECLARATION TO RECOUP LOSS
 (FISCAL YEAR 2002/2003)

Having under consideration the recommendation of the Treasury Board (reference TB#271/03 of 5 November 2003) and pursuant to section 72 of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council declared that the accumulated deficit as at 31 March 2003 of the P.E.I. Lending Agency in the amount of \$2,204,621.00 be recouped from the future operations of the Corporation.

EC2003-661

FINANCIAL ADMINISTRATION ACT
 PRINCE EDWARD ISLAND MUSEUM AND HERITAGE FOUNDATION
 DECLARATION TO RECOUP LOSS
 (FISCAL YEAR 2002/2003)

Having under consideration the recommendation of the Treasury Board (reference TB#276/03 of 5 November 2003) and pursuant to section 72 of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council declared that the accumulated deficit as at 31 March 2003 of the Prince Edward Island Museum and Heritage Foundation in the amount of \$119,457.00 be recouped from the future operations of the Corporation.

EC2003-662

FINANCIAL ADMINISTRATION ACT
 PRINCE EDWARD ISLAND SELF-INSURANCE AND
 RISK MANAGEMENT FUND
 DECLARATION TO RECOUP LOSS
 (FISCAL YEAR 2002/2003)

Having under consideration the recommendation of the Treasury Board (reference TB#272/03 of 5 November 2003) and pursuant to section 72 of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council declared that the accumulated deficit as at 31 March 2003 of the Prince Edward Island Self-Insurance and Risk Management Fund in the amount of \$110,349.00 be recouped from the future operations of the Corporation.

EC2003-663

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PROPERTY NO. 843094, GEORGETOWN ROYALTY, KINGS 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 twenty-four (24) acres of land, being Provincial Property No. 843094 located in Georgetown Royalty, Kings County, Prince Edward Island and currently owned by Tucker Sanctuary LLC of Oak Ridge, New Jersey.

Council noted that this amendment will enable subdivision of a parcel of land of approximately fourteen (14) 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 November 18, 2003.

EC2003-664

**MEDICAL ACT
COUNCIL OF THE COLLEGE OF PHYSICIANS AND SURGEONS
OF PRINCE EDWARD ISLAND
APPOINTMENT**

Pursuant to clause 7(1)(c) of the *Medical Act* R.S.P.E.I. 1988, Cap. M-5 Council made the following appointment:

NAME	TERM OF APPOINTMENT
Neil Robinson Charlottetown (vice Carol Balsom, term expired)	18 November 2003 to 18 November 2006

EC2003-665

**PRIVATE INVESTIGATORS AND SECURITY GUARDS ACT
REGULATIONS
AMENDMENT**

Pursuant to section 24 of the *Private Investigators and Security Guards Act* R.S.P.E.I. 1988, Cap. P-20, Council made the following regulations:

1. Subsection 2(2) of the *Private Investigators and Security Guards Act* Regulations (EC256/88) is revoked and the following substituted:

(2) Where an applicant for a license to carry on the business of Sole proprietorship providing private investigators or security guards is a sole proprietor and the applicant intends to act as a private investigator or security guard, or both, in carrying on that business, the applicant shall obtain

- (a) a license to carry on the business; and
- (b) a license to act as a private investigator or security guard, or both.

2. Subsection 9(1) of the regulations is amended by the deletion of the words “or a license to act as a private investigator or security guards” and the substitution of the words “or a license to act as a private investigator or security guard”.

3. Section 13 of the regulations is amended by the deletion of the word “him” and the substitution of the words “the Minister”.

4. Subsection 14(4) of the regulations is amended by the deletion of the word “his” and the substitution of the words “the security guard’s”.

5. Subsection 19(2) of the regulations is amended by the deletion of the word “his” and the substitution of the words “the person’s”.

6. These regulations come into force on November 29, 2003.

EXPLANATORY NOTES

The amendments provide for the use of non-gender specific language and correct references to revoked sections.

EC2003-666

PROVINCIAL COURT ACT REGULATIONS AMENDMENT

Pursuant to section 17 of the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25, Council made the following regulations:

1. Subsection 2(2) of the *Provincial Court Act Regulations* (EC946/76) is amended by the deletion of the words “he himself” and the substitution of the words “the judge”.

2. These regulations come into force on November 29, 2003.

EXPLANATORY NOTES

The amendment provides for the use of non-gender specific language.