

EC2005-182**PROVINCE OF PRINCE EDWARD ISLAND
ESTIMATE OF EXPENDITURE
FISCAL YEAR 2005-2006**

This Council in Committee, having under consideration the Estimates of Expenditure required to carry on the Public Services of the Province for the fiscal year ending March 31, 2006, and amounting in all to the sum of one billion, one hundred and twenty-seven million, two hundred and twenty thousand and three hundred dollars (\$1,127,220,300) which amount includes the sum of twenty-six million and ninety-five thousand dollars (\$26,095,000) for Capital Expenditures together with a sum sufficient for similar expenditure to carry on the Public Service of the Province from the expiration of the fiscal year ending March 31, 2006 up to and until the final passage of the Estimates for the year ending March 31, 2007, it was and is hereby recommended that the Estimates be approved by His Honour, the Lieutenant Governor of the Province of Prince Edward Island, and be presented to the Legislative Assembly during the present session thereof.

EC2005-183

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2004/05)
DEPARTMENT OF EDUCATION

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund for the Department of Education as follows:

Account Class	Account Name	Amount
	<u>PUBLIC EDUCATION BRANCH</u> CONTINUING EDUCATION AND TRAINING Post Secondary Grants	
0441-04160	Labour Market Development	<u>\$870,000.00</u>

Further, Council noted that this amount will be fully offset by revenue from the federal government under the terms of the Canada-Prince Edward Island Labour Market Development Agreement.

EC2005-184

AN ACT TO AMEND THE HOLLAND COLLEGE ACT
DECLARATION RE

Under authority of section 5 of *An Act to Amend the Holland College Act* Stats. P.E.I. 2004, 1st Session, c. 38 Council ordered that a Proclamation do issue proclaiming the said "*An Act to Amend the Holland College Act*" to come into force effective April 16, 2005.

EC2005-185

HOLLAND COLLEGE ACT
APPLIED DEGREE PROGRAM REGULATIONS

Pursuant to section 20 of the *Holland College Act* R.S.P.E.I. 1988, Cap. H-6, Council made the following regulations:

- 1. In these regulations**
- | | |
|---|---------------------------|
| (a) "Act" means the <i>Holland College Act</i> R.S.P.E.I. 1988, Cap. H-6; | Definitions
Act |
| (b) "applied degree" means a degree awarded by the Board of Governors to a student who has successfully completed all of the requirements of an applied degree program; | applied degree |
| (c) "applied degree program" means a program | applied degree
program |

- (i) that includes course work and work-related experience in an occupational field,
- (ii) that has courses with content that is validated by contents experts and persons working in the related industry, and
- (iii) offers
- (A) an applied degree, and
- (B) well defined competencies in an occupational field,
- to a student who has successfully completed all of the requirements of the program.
- (d) “chairperson” means the chairperson of the Committee appointed under subsection 3(1); chairperson
- (e) “Committee” means an Ad Hoc Applied Degree Program Committee appointed under subsection 3(1); Committee
- (f) “related industry” means the industry most closely related to the occupational field of an applied degree program, or a proposed applied degree program, as determined by the Minister. related industry
- 2.** (1) Holland College may submit a letter of intent to the Minister respecting a proposed applied degree program to be offered by Holland College to students. Letter of intent
- (2) The Minister shall review a letter of intent that is submitted under subsection (1) and shall Minister’s powers
- (a) invite Holland College to submit a proposal for an applied degree program; or
- (b) notify Holland College that it should not proceed further in planning the proposed applied degree program.
- 3.** (1) Where the Minister receives a proposal for an applied degree program, the Minister shall appoint an Ad Hoc Applied Degree Program Committee to review the proposal, with the following members: Receipt of proposal
- (a) two members who are employed by the Department, one of whom shall be the chairperson and one of whom shall be the vice-chairperson;
- (b) one member recommended by Holland College;
- (c) after consultation with Holland College, one member representing the related industry;
- (d) one member who is a current student or an alumnus of a related program at Holland College, recommended by Holland College or an appropriate body of Holland College; and
- (e) such other members as the Minister may consider necessary.
- (2) The Minister shall appoint at least two individuals to carry out a peer review of the proposed applied degree program and to provide a report to the Committee within the time specified by the Minister. Peer review
- (3) The term of office of the members of a Committee appointed under subsection (2) shall expire on the day following the submission of the Committee recommendation to the Minister under section 4. Term
- (4) The Minister may appoint members of the Committee to replace members who resign or who are, in the Minister’s opinion, unable to act as members. Replacement members
- 4.** (1) Subject to subsection (2), the Committee shall Committee reviews proposal
- (a) review a proposal for an applied degree program and the peer review report submitted under subsection 3(2); and
- (b) make a recommendation to the Minister respecting the proposed applied degree program within 60 days of receiving the peer review report.
- (2) The Minister may, on the application of the Committee chairperson, grant an extension for the submission of a recommendation under subsection (1). Extension of time
- (3) In formulating its recommendation under subsection (1), the Committee shall consider the following factors: Factors to be considered
- (a) the related industry demand, student demand and career opportunities for graduates of the proposed applied degree program;

- (b) the demonstration in a business plan of institutional capacity to offer the proposed applied degree program;
 - (c) the relationship of the proposed applied degree program to existing programs offered by Holland College;
 - (d) the quality assurance of all components of the proposed applied degree program;
 - (e) a description of the quality assurance procedures that will be used in on-going evaluations of the proposed applied degree program;
 - (f) any duplication of programs offered by the University of Prince Edward Island;
 - (g) the opportunities for lifelong learning, further education or promotion in the occupational field, including
 - (i) internal or external credit transfers,
 - (ii) advanced educational studies, and
 - (iii) industry designations;
 - (h) opportunities for collaboration with a related industry or post-secondary institutions within or outside the province; and
 - (i) such other issues as the Committee considers relevant.
- (4) The Committee, before making a recommendation to the Minister, may Powers of Committee
- (a) request further information from Holland College respecting the proposed applied degree program; and
 - (b) permit Holland College to make changes to the proposal for an applied degree program upon the receipt of pertinent information collected during the review of the proposal.
- (5) When the Committee finishes its review of the proposed applied degree program, the Committee shall make a recommendation to the Minister that Recommendations
- (a) the proposed applied degree program be approved;
 - (b) the proposal be approved with conditions, including
 - (i) conditions respecting the establishment and operation, or termination, of the applied degree program,
 - (ii) conditions respecting the review and evaluation by the Minister of the structure and operation of the applied degree program,
 - (iii) conditions respecting assurances that the initial students in a program have the opportunity to complete the applied degree program, or
 - (iv) such other conditions as the Committee may consider necessary or advisable; or
 - (c) the proposal not be approved.
- 5.** (1) The Minister, after considering the recommendation of the Committee, may Approval by Minister
- (a) approve an applied degree program to be offered by Holland College, subject to such conditions as the Minister considers appropriate, including
 - (i) the submission by Holland College to the Minister of an annual report on the applied degree program for such time period as the Minister specifies, and
 - (ii) the review and evaluation of the applied degree program; or
 - (b) refuse to approve the proposed applied degree program.
- (2) If, in the Minister's opinion, Holland College has failed to comply with any of the conditions of the approval of the applied degree program, the Minister may cause an independent review and evaluation to be made of the approved applied degree program. Failure to comply with conditions
- 6.** The Board of Governors may award an applied degree to a student who successfully completes an approved applied degree program. Award applied degree
- 7.** (1) Where Holland College wishes to expand, reduce, change, transfer or terminate an approved applied degree program, the Board of Governors shall first submit a proposal to the Minister respecting such expansion, reduction, change, transfer or termination. Proposal for expansion, reduction, etc.

(2) Where the Minister receives a proposal under subsection (1), the Minister may appoint a Committee under section 3 to review the proposal. Proposal reviewed
by Committee

(3) Sections 3 to 5 apply, with such changes as the circumstances require, in respect of a proposal referred to in subsection (1). Application of s. 3-
5

8. These regulations come into force on April 16, 2005. Commencement

EXPLANATORY NOTES

SECTION 1 is the definition section.

SECTION 2 provides for a letter of intent for a proposed applied degree program to be submitted by Holland College to the Minister.

SECTION 3 provides for the establishment of an Ad Hoc Applied Degree Program Committee and a peer review of the proposal.

SECTION 4 provides for the Committee to review a proposal, sets out the factors to be considered in the review and provides for the Committee to make a recommendation to the Minister.

SECTION 5 provides for the approval of, or refusal to approve an applied degree program by the Minister. The Minister may also place conditions on the approval and the section also deals with failure to comply with the conditions of approval.

SECTION 6 provides for the awarding of an applied degree.

SECTION 7 requires that proposed changes to an applied degree program that a proposal be submitted to the Minister if Holland College wishes to make changes to an applied degree program.

SECTION 8 provides for the commencement of these regulations.

EC2005-186

PRINCE EDWARD ISLAND LANDS PROTECTION ACT PETITION TO ACQUIRE A LAND HOLDING MILL CREEK DEVELOPMENTS 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 Mill Creek Developments Inc. of Richmond, Prince Edward Island to acquire a land holding of approximately eighty-six decimal five (86.5) acres of land in Lots 14 and 18, Prince County, Province of Prince Edward Island, being acquired from Nelson MacKinnon and Shane MacKinnon, both of Grand River, Prince Edward Island, and Peter Brown and Chris McNeill, both of Richmond, Prince Edward Island.

EC2005-187

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 BAYSIDE WOOD PRODUCTS 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 Bayside Wood Products Inc. of Richmond, Prince Edward Island to acquire a land holding of approximately two decimal eight two (2.82) acres of land in Lot 14, Prince County, Province of Prince Edward Island, being acquired from Mill Creek Developments Inc. of Richmond, Prince Edward Island.

EC2005-188

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 NORDALE FARMS 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 Nordale Farms Inc. of Grand River, Prince Edward Island to acquire a land holding of approximately five decimal three four (5.34) acres of land in Lot 14, Prince County, Province of Prince Edward Island, being acquired from Mill Creek Developments Inc. of Richmond, Prince Edward Island.

EC2005-189

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PROPERTY NO. 629535, 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 made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately one hundred and thirty-two (132) acres of land, being Provincial Property No. 629535 located in Lot 18, Prince County, Prince Edward Island and currently owned by Hunter Warehousing & Storage Ltd. of Kensington, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately one decimal seven two (1.72) acres, and is SUBJECT TO the subdivided parcel being consolidated with the adjacent Provincial Property No. 86520. Further, Council 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 5 April 2005.

EC2005-190

EXECUTIVE COUNCIL ACT
MINISTER OF ENVIRONMENT, ENERGY AND FORESTRY
AUTHORITY TO ENTER INTO AN AGREEMENT
(CONTRIBUTION AGREEMENT
PRINCE EDWARD ISLAND WIND-HYDROGEN VILLAGE PROJECT)
WITH
THE GOVERNMENT OF CANADA
AND
HYDROGENICS CORPORATION

Pursuant to clauses 10(a) and (d) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Environment, Energy and Forestry, as Minister Responsible for the P.E.I. Energy Corporation, to enter into an agreement with the Government of Canada, as represented by the Minister of Industry, and Hydrogenics Corporation, to set out term and conditions of funding a wind and hydrogen demonstration project in the North Cape/Seacow Pond Area during the period May 27, 2004 to March 31, 2008, such as more particularly described in the draft agreement.

Number: SW04/05 - 7

SPECIAL

WARRANT

pursuant to the

FINANCIAL ADMINISTRATION ACT

Lieutenant Governor

On recommendation of the Lieutenant Governor in Council by its Order-in-Council EC2005-183, and pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 the following supplementary payment is authorized out of the Operating Fund for the Fiscal Year 2004/05:

Department of Education.....\$870,000.00
(Continuing Education and Training)

Clerk of the Executive Council

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 5 of Chapter 38 of the Acts passed by the
Legislature of Prince Edward Island in the 1st Session thereof held in the year
2004 and in the fifty-third year of Our Reign intituled "An Act to Amend the
Holland College Act" 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. 2004,
1st Session, c. 38 should come into force on the 16th day of April, 2005,

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 Holland
College Act" passed in the fifty-third year of Our Reign shall come into force on
the sixteenth day of April, two thousand and five 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 fifth day of April in the
year of Our Lord two thousand and five and in the fifty-fourth year of Our Reign.

By Command,

Clerk of the Executive Council