

EC2006-19**ENVIRONMENTAL PROTECTION ACT
WATER WELL 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* Water Well Regulations (EC188/90) is amended by the addition of the following after clause (s);

(s.1) “plumber” means a person who holds a Certificate of Proficiency or a Certificate of Qualification, issued under the *Apprenticeship and Trades Qualification Act* Regulations (EC 712/95), in the certified trade of plumber;

2. Section 12 is amended

(a) in subsection (1), by the addition of the words “or plumber” after the words “the well filled by a well contractor”; and

(b) in clause (2)(a), by the addition of the following words “or plumber” after the words “well contractor”.

3. Schedule E of the regulations is amended by the deletion of the words “licensed well contractor” and by the substitution of the words “well contractor or plumber”.

4. These regulations come into force on January 28, 2006.

EXPLANATORY NOTES

The amendments authorize a plumber to fill an unused water well.

EC2006-20

EXECUTIVE COUNCIL ACT
ATTORNEY GENERAL
AUTHORITY TO ENTER INTO AN AGREEMENT
(AGREEMENT CONCERNING THE PROVISION
OF OFFENDER INFORMATION)
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 Attorney General to enter into an agreement with the Government of Canada, as represented by the Minister of Public Safety and Emergency Preparedness, to exchange relevant personal information on offenders for the purpose of administering or enforcing respective corrections legislation to ensure effective custody of offenders and their safe reintegration into the community, such as more particularly described in the draft agreement.

EC2006-21

**HIGHWAY TRAFFIC ACT
COMMERCIAL DRIVER, CARRIER AND AUDIT REVIEW
SYSTEMS REGULATIONS**

Pursuant to section 148 of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

- | 1. In these regulations | Definitions |
|---|---------------------------------|
| (a) "Act" means the <i>Highway Traffic Act</i> R.S.P.E.I. 1988, Cap. H-5; | Act |
| (b) "carrier" means a carrier as defined in clause 142(a) of the Act; | carrier |
| (c) "CCMTA" means the Canadian Council of Motor Transport Administrators; | CCMTA |
| (d) "CVSA" means the Commercial Vehicle Safety Alliance organization of Federal, State and Provincial Government agencies and representatives from private industry in the United States, Canada and the Republic of Mexico dedicated to improving commercial vehicle safety; | CVSA |
| (e) "Conviction Equivalency Table" means the table established by CCMTA that codifies the demerit points that are attributable to a driver and a carrier in respect of | Conviction
Equivalency Table |
| (i) contraventions of the legislation governing the operation of commercial motor vehicles in any jurisdiction or in any reciprocating province, and | |
| (ii) contraventions of the <i>Criminal Code</i> (Canada); | |
| (f) "demerit point" means the demerit point value set out opposite each conviction, as codified in the Conviction Equivalency Table, results from CVSA inspections, and reportable collision results as outlined in Schedule 1; | demerit point |
| (g) "driver" means a driver as defined in clause 1(e) of the Act; | driver |
| (h) "facility audit" means an inspection and audit of the records of a driver or a carrier by the Registrar or a person authorized by the Registrar to determine compliance with applicable safety standards; | facility audit |
| (i) "inspection" means an inspection of a driver or a vehicle using the criteria established by the CVSA; | inspection |
| (j) "jurisdiction" means a province or a territory of Canada, any state of the United States, or the Republic of Mexico; | jurisdiction |

- (k) “maximum allowable accumulated demerit points” means, in relation to a driver or a carrier, the maximum allowable accumulated demerit points, as set out in Schedule 3, that the driver or carrier may accumulate and still operate or drive a commercial vehicle; maximum allowable accumulated demerit points
- (l) “National Safety Code for Motor Carriers” means the code of minimum performance and safety standards for commercial vehicles developed by CCMTA; National Safety Code for Motor Carriers
- (m) “National Safety Code number” means an identifying number assigned to a driver or a carrier by the Registrar; National Safety Code number
- (n) “reportable collision” means a collision or an accident involving a commercial vehicle that results in injury or death to a person or damages to property of \$1,000 or more; reportable collision
- (o) “safety rating” means the safety rating of a carrier as assigned by the Registrar pursuant to section 3 of these regulations. safety rating
2. Pursuant to subsection 148(2) of the Act, the codes and standards respecting commercial vehicles, drivers and carriers of commercial vehicles that are made by CCMTA or CVSA are hereby adopted, as amended from time to time, and in particular: Adoption of Codes and Standards
- (a) the Conviction Equivalency Table;
- (b) the National Safety Code for Motor Carriers; and
- (c) the CVSA Code for Out of Service Criteria.
3. (1) The Registrar shall maintain a safety rating record on drivers and carriers outlining safety rating categories for drivers and carriers for the purposes of these regulations. Safety rating record
- (2) The Registrar shall consider the following factors in determining the safety rating record of drivers and carriers under subsection (1): Safety rating factors
- (a) reportable collisions;
- (b) driving offences, violations, detentions and convictions pursuant to
- (i) the Act and its regulations,
- (ii) the *Roads Act* R.S.P.E.I. 1988, Cap. R-15 and its regulations,
- (iii) the *Dangerous Goods (Transportation) Act* R.S.P.E.I. 1988, Cap. D-3 and its regulations,
- (iv) the *Criminal Code* (Canada) in relation to the operation of a motor vehicle,
- (v) CVSA roadside inspections, and
- (vi) facility audit results;
- (c) results of any inspection of a commercial vehicle undertaken pursuant to the Act;
- (d) safety ratings as issued in any reciprocating province; and
- (e) driving offences that occur in any reciprocating province.
- (3) The Registrar may assign a zero point value to a reportable collision where no fault on the part of a driver or a carrier has been established. Zero point value
- (4) The Registrar shall assign to a driver or a carrier one of the following safety ratings: Safety ratings
- (a) satisfactory rating;
- (b) satisfactory unaudited rating;
- (c) conditional rating;
- (d) unsatisfactory rating.
- (5) The Registrar may review the safety rating of a driver or a carrier at any time and may change the safety rating depending on demerit point accumulations, results of facility audits, and determinations made after an interview of a driver or a carrier. Review by Registrar
- (6) The safety rating for a driver or a carrier shall be determined by the Registrar based on the demerit points the driver or carrier has accumulated within the last 24 months. Demerit point safety rating
- (7) No driver shall drive, and no carrier shall operate, a commercial vehicle if the driver or carrier has exceeded the maximum allowable accumulated demerit points. Prohibition

(8) A satisfactory safety rating shall be assigned to a driver or a carrier if the driver or carrier has not accumulated greater than 85% of the maximum allowable accumulated demerit points and has successfully passed a facility audit within the last 24 months.

Satisfaction safety rating

(9) A satisfactory unaudited safety rating shall be assigned to a driver or a carrier if the driver or carrier has not accumulated greater than 85% of the maximum allowable accumulated demerit points and has not been subject to a facility audit within the last 24 months

Satisfactory unaudited safety rating

(10) A conditional safety rating shall be assigned to a driver or a carrier if the driver or carrier, within the last 24 months,

Conditional safety rating

(a) has exceeded 85% but not 100% of the maximum allowable accumulated demerit points and has failed an interview or a facility audit;

(b) has less than 85% of the maximum allowable accumulated demerit points and is within six months of the date that the driver or carrier first exceeded the 85% level;

(c) has failed a facility audit;

(d) has passed a facility audit but is within six months of the date of the failed audit;

(e) has exceeded 100% of the maximum allowable accumulated demerit points and the Registrar has determined by an interview of the driver or carrier that the continued operation of the driver or carrier will not adversely affect the safety of the public;

(f) has been reinstated by the Registrar after an unsatisfactory rating that did not result from having inadequate insurance but is within six months of the date of the reinstatement; or

(g) has been placed on probation.

(11) An unsatisfactory safety rating shall be assigned to a driver or a carrier where the driver or carrier

Unsatisfactory safety rating

(a) has exceeded 100% of the maximum allowable accumulated demerit points and has failed an interview or a facility audit or both;

(b) does not have proof of insurance or is not adequately insured;

(c) has failed to comply with administrative conditions imposed by the Registrar after failing to comply with the Act or these regulations;

(d) has failed to demonstrate an acceptable safety record in a reciprocating province;

(e) has failed to meet the registration requirements outlined in the Act; and

(f) has failed to appear for an interview with the Registrar without just cause, or has failed to participate in a facility audit.

(12) The Registrar shall, on request, in person or in writing and on payment of the prescribed fee, provide to any person

Access to safety rating

(a) a driver's or a carrier's safety rating certificate issued by the Highway Safety Division;

(b) a certified abstract of the operating record of a driver or a carrier, as requested, outlining the reportable collisions, convictions, safety ratings of the driver or carrier, the results of inspections of the driver or carrier, and the results of facility audits of the driver or carrier; and

(c) any other information that, in the opinion of the Registrar, is relevant to the driver's or carrier's safety rating.

(13) The Registrar shall maintain a record of the information provided to any person under subsection (12).

Record of information

4. (1) The Registrar may, by order in writing, place a driver or a carrier under sanction

Sanction

(a) for an unsatisfactory safety rating;

(b) for any conviction under the Act, *Dangerous Goods (Transportation) Act*, *Roads Act*, and their accompanying regulations;

(c) for any conviction under sections 220, 221, 236 or subsections 249(1), (2), or (4), or 254(5) or clauses 253(a) or (b), of the *Criminal Code* (Canada);

- (d) for any reportable collision, unless it can be shown that the driver or carrier was in no way responsible for the collision; or
- (e) for any other reason that, in the opinion of the Registrar, renders any driver or carrier unfit to act as a driver or a carrier.

(2) The Registrar may, at any time, conduct a review consisting of four different levels of the safety rating of a driver or a carrier and may change the safety rating of the driver or carrier depending on demerit point accumulations, results of facility audits, and determinations made by the Registrar after an interview of a driver or a carrier.

Review by Registrar

(3) A driver or a carrier may attend any level of review conducted by the Registrar.

Driver or carrier may attend review

(4) Where the Registrar places a driver or a carrier under sanction under subsection (1), or conducts a review under subsection (2), the Registrar shall

Nature of review, sanction

(a) at the first level review, where a driver's or a carrier's accumulated demerit points exceed 25% but do not exceed 60% of the driver's or carrier's maximum allowable accumulated demerit points, notify the driver or carrier in writing to that effect, and advise that an inspection or audit may be carried out;

(b) at the second level review, where a driver's or a carrier's accumulated demerit points exceed 60% but do not exceed 85% of the driver's or carrier's maximum allowable accumulated demerit points, issue a warning letter to the driver or carrier to that effect, and advise that an inspection or an audit may be carried out, and that the driver or carrier may be required to attend an interview with an officer of the Highway Safety Division if further demerit points are attributed to the driver or carrier;

(c) at the third level review, where a driver's or a carrier's accumulated demerit points exceed 85% but do not exceed 100% of the driver's or carrier's maximum allowable accumulated demerit points, notify the driver or carrier in writing to that effect, and advise that an inspection or an audit may be carried out, and that the driver or carrier is required to attend an interview with an officer of the Highway Safety Division, on the date and place specified in the notice; or

(d) at the fourth level review, where a driver's or a carrier's maximum allowable accumulated demerit points exceed 100% impose or issue one or more of the following:

- (i) a conditional or an unsatisfactory safety rating,
- (ii) suspension of the vehicle registration,
- (iii) suspension of the class of license,
- (iv) suspension of the license plate or plates,
- (v) suspension of the vehicle or vehicles,
- (vi) probation,
- (vii) a summary offence ticket.

(5) Where the Registrar imposes one or more of the sanctions listed in clause (4)(d) on a driver or a carrier, the driver or carrier may, by notice in writing, request an appeal to the Registrar within 30 days of the date of the imposition of the sanction.

Appeal

(6) Where a request for an appeal has been made by a driver or a carrier within the stipulated time-frame, the Registrar shall afford an appeal hearing before an appeal board consisting of the Director, the Highway Safety Co-ordinator, and the Deputy Registrar or any other person authorized by the Registrar, and the decision of the board is final.

Idem

5. (1) The Registrar may not register a commercial vehicle in the name of a driver or a carrier who operates the vehicle unless the driver or carrier holds or has been issued

Registration of commercial vehicle

- (a) a duplicate license number plate and replacement validation sticker for the current calendar year;
- (b) a subsisting and valid vehicle permit; and
- (c) a subsisting and valid safety rating certificate.

(2) An application for a safety rating certificate referred to in subsection (1) must be made on the form prescribed by the Registrar and include

Safety rating certificate

- (a) proof of valid vehicle insurance;
 - (b) proof of incorporation or partnership registration and driver license numbers of all principals, officers, directors and partners of the business;
 - (c) a declaration that contains the following statements and information:
 - (i) certification that the information contained in the application is true,
 - (ii) acceptance of responsibility by the driver or carrier relating to legal requirements for the operation of commercial vehicles,
 - (iii) confirmation of whether any principal, director, officer or partner of a driver or a carrier has a safety rating certificate from the province or equivalent from any other jurisdiction, and if such certificate is unsatisfactory, details surrounding the revocation of the certificate or its equivalent;
 - (d) a certified copy of the driver's or carrier's operating record from any other jurisdiction where the carrier has been issued a safety rating certificate or equivalent where the driver or carrier is moving its operation from another jurisdiction to the province;
 - (e) a list of all existing trade or business names being operated under;
 - (f) a list of all commercial vehicles owned or operated by the applicant including the year, make, plate number and vehicle identification number;
 - (g) a list of all drivers employed, if the applicant is a carrier, including names, dates of birth, license numbers and license jurisdictions;
 - (h) all transportation services provided by the applicant;
 - (i) a statement as to whether the applicant intends to transport dangerous goods in the vehicle, if applicable; and
 - (j) any other information considered necessary by the Registrar.
- (3) The safety rating certificate issued by the Registrar for a driver or a carrier shall contain *Idem*
- (a) the name of the driver or carrier;
 - (b) the driver's or carrier's safety rating at the time the certificate is issued;
 - (c) the date the certificate is issued; and
 - (d) any other information considered necessary by the Registrar.
- (4) No person shall make a false statement in an application under subsection (2). *Offence*
- (5) Where a person makes a false statement in an application under subsection (2), the Registrar may *False statement*
- (a) revoke any safety rating certificate that has been issued to a driver or a carrier; and
 - (b) cancel any number plates and vehicle permits that have been issued to a driver or a carrier.
- (6) Where the Registrar has revoked a safety rating certificate, the driver or carrier shall return to the Registrar within ten calendar days from the date of revocation, all number plates and vehicle permits. *Revocation of safety rating certificate*
6. (1) The Registrar or a person authorized by the Registrar may, on the request of a carrier and on the payment of the fee specified in subsection (2), conduct a facility audit of a carrier. *Facility audit*
- (2) The fee for a facility audit of a carrier is \$30 per hour. *Fee*
- (3) Demerit point accumulations resulting from a facility audit of a carrier are outlined in Schedule 2. *Demerit point accumulations*
7. For the purposes of a facility audit, each carrier shall maintain *Records for facility audit*
- (a) the following records for each driver who operates a commercial vehicle on the carrier's behalf:
 - (i) the driver's employment application,
 - (ii) an annual certified abstract of the driver's operating record obtained from the Registrar,
 - (iii) the class of license held by the driver,
 - (iv) the medical records of the driver,

- (v) the training and special qualifications of the driver, with expiry dates,
- (vi) the hours of service worked by each driver,
- (vii) all summary or indictable convictions for driving offences or *Criminal Code* (Canada) driving offences for each commercial vehicle driver,
- (viii) all traffic accidents in which the driver was involved,
- (ix) the driver's Trip Inspection Reports,
- (x) the driver's receipts for on-road travel;
- (b) for each commercial vehicle owned or operated by the carrier:
- (i) records of all vehicle maintenance and inspection procedures carried out in accordance with the Commercial Vehicle Trip Inspection and (Records) Regulations, and the Motor Vehicle Inspection Regulations,
- (ii) records of any notice of defect received from the vehicle manufacturer, and proof that the defects have been corrected,
- (iii) fuel receipts, bills of lading and shipping documents,
- (iv) CVSA Inspections Reports;
- (c) the results of CVSA Inspections;
- (d) the carrier's policy and procedures for driver management and vehicle maintenance; and
- (e) any other records considered necessary by the Registrar to determine the safety rating of a carrier.
8. (1) Every carrier shall maintain records in accordance with section 7 for the current calendar year and four calendar years thereafter. Retention of Records
- (2) Notwithstanding subsection (1), where a carrier is under sanction under section 4, the Registrar may require the carrier to maintain records in accordance with section 7 for a period in excess of the time stipulated under subsection (1). Carrier under sanction
9. (1) The records required to be maintained by the carrier under section 145 of the Act and section 7 of these regulations shall be kept and made available at the carrier's main place of business within the province. Location of records
- (2) Where a carrier's main place of business within the province is changed, the carrier shall provide notice of the change to the Registrar within ten calendar days. Notification of change
- (3) Where a carrier's name is changed, or where there is a change in the officers, directors, or principals of the carrier's business, the carrier shall provide notice of any change to the Registrar within ten calendar days. *Idem*
10. Where a facility audit or an inspection is conducted outside the province, the carrier shall pay any costs incurred by the Department in carrying out a facility audit or an inspection of the carrier. Cost of audit outside province
11. (1) The records required to be maintained under section 7 shall be made available for inspection within two business days from the date the request was made by the Registrar, and shall be available for inspection during the carrier's normal business hours at the location described in section 9. Inspection of records
- (2) Where the Registrar or a person authorized by the Registrar is conducting a facility audit, the Registrar or the person authorized by the Registrar may remove any record produced as a result of an audit for the purposes of making copies or taking extracts, together with any equipment, hardware, software or any other thing necessary to enable access to records. Removal of records
- (3) The Registrar or a person authorized by the Registrar shall provide a detailed list of all materials removed from the carrier's main place of business and return the materials to the carrier upon completion of the facility audit. List of materials removed
12. No person shall Offences
- (a) alter, deface, destroy, or otherwise falsify any records required to be maintained;
- (b) obstruct or prevent any person authorized to carry out a facility audit from entering the carrier's premises for the purposes of

inspecting the carrier's records or any of the carrier's commercial vehicles;

- (c) obstruct any person authorized to carry out a facility audit;
- (d) fail to maintain required records; or
- (e) fail to produce required records for a facility audit.

13. Where the Registrar or a person authorized by the Registrar has reasonable grounds to believe that an offence has occurred as a result of a facility audit, the Registrar or the person authorized by the Registrar may impose one or more of the following sanctions on a carrier: Sanctions

- (a) issue a summary offence ticket;
- (b) assign a conditional or an unsatisfactory safety rating;
- (c) suspend the carrier's vehicle registration privileges;
- (d) suspend the carrier's license plates;
- (e) suspend the carrier's vehicle; or
- (f) place the carrier on probation for a period of time during which the carrier must show improvement in the carrier's safety rating record.

14. These regulations come into force on January 28, 2006.

Commencement

PRINCE EDWARD ISLAND
HIGHWAY SAFETY DIVISION

SCHEDULE 1
COLLISION AND INSPECTION RESULTS

Type of Collision	Demerit Points
Not at Fault	0
At Fault Collision	
Property Damage	2
Injury	4
Fatality	6
CVSA Roadside Inspection Results	Demerit Points
Pass	0
Warning	1
Out of Service	3

SCHEDULE 2
FACILITY AUDIT RESULTS

Facility Audit Results	Demerit Points
Complaint	0
Action Required	1
Non-complaint	3

SCHEDULE 3
TABLE OF ACTION LEVELS FOR POINTS ACCUMULATED
RELATIVE TO CARRIER FLEET SIZE

Fleet-size	Advisory 25%	Warning 60%	Interview 85%	Show-cause Hearing and Sanction 100%
1	4	10	14	16
2	6	13	19	22
3	7	16	22	26
4	7	17	25	29
5	8	19	26	31
6	9	20	29	34
7	9	22	31	36
8	10	23	32	38
9	10	23	33	39
10	10	25	35	41
11	11	26	37	43
12	11	26	37	44
13	12	28	39	46
14	12	28	40	47

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15	12	29	42	49
16	13	30	43	50
17	13	31	44	52
18	13	32	45	53
19	14	33	47	55
20	14	34	48	56
21	14	34	48	57
22	15	35	50	59
23	15	36	51	60
24	15	37	52	61
25	16	38	54	63
26	16	38	54	64
27	16	39	55	65
28	17	40	56	66
29	17	41	60	68
30	17	41	59	69
31	18	42	60	70
32	18	43	60	71
33	18	43	61	72
34	19	44	63	74
35	19	45	64	75
36	19	46	65	76
37	19	46	65	77
38	20	47	66	78
39	20	48	68	80
40	20	49	69	81
41	21	50	70	82
42	21	50	71	83
43	21	50	71	84
44	21	51	72	85
45	22	52	74	87
46	22	53	75	88
47	22	53	76	89
48	23	54	77	90
49	23	55	77	91
50	23	56	79	93
51	24	56	80	94
52	24	57	81	95
53	24	58	82	96
54	24	58	82	97
55	25	59	83	98
56	25	59	84	99
57	25	60	85	100
58	25	61	86	101
59	26	62	88	103
60	26	62	88	104
61	26	63	89	105
62	27	64	90	106
63	27	64	91	107
64	27	65	92	108
65	27	65	93	109
66	28	66	94	110
67	28	67	94	111
68	28	68	96	113
69	29	68	97	114
70	29	69	98	115
71	29	70	99	116
72	29	70	99	117
73	30	71	100	118
74	30	71	101	119
75	30	72	102	120
76	30	73	103	121
77	31	73	104	122
78	31	74	105	123
79	31	75	106	125
80	32	76	107	126
81	32	76	108	127
82	32	77	109	128
83	32	77	110	129
84	33	78	111	130
85	33	79	111	131
86	33	79	112	132
87	33	80	113	133
88	34	80	114	134
89	34	81	115	135
90	34	82	116	136
91	35	83	117	138
92	35	83	118	139
93	35	84	119	140
94	35	85	120	141

95	36	85	121	142
96	36	86	122	143
97	36	86	122	144
98	36	87	123	145
99	37	88	124	146
100	37	88	125	147

EXPLANATORY NOTES

SECTION 1 defines terms used in these regulations.

SECTION 2 provides for the adoption of codes and standards respecting commercial motor vehicles and respecting drivers or carriers of commercial motor vehicles.

SECTION 3 outlines a safety rating record for drivers or carriers and outlines rating factors and categories used within the safety rating record. The provision authorizes the Registrar to review the safety rating of a driver or a carrier and provides for the release of safety rating records to any interested person.

SECTION 4 provides for sanction of a driver or a carrier and outlines the process for an appeal.

SECTION 5 outlines the process for obtaining a safety rating certificate by a driver or a carrier.

SECTION 6 provides for the conducting of a facility audit by the Registrar or a person authorized by the Registrar.

SECTION 7 outlines the driver's records required to be maintained by a carrier for the purposes of a facility audit.

SECTION 8 outlines the time-frame required for the retention of records by a carrier.

SECTION 9 outlines the location where records are to be maintained by a carrier.

SECTION 10 outlines who is responsible for payment of a facility audit conducted outside the province.

SECTION 11 provides for the inspection and removal of records by the Registrar when conducting a facility audit.

SECTION 12 outlines offence provisions.

SECTION 13 authorizes sanctions that may be imposed on a carrier by the Registrar or a person authorized by the Registrar.

SECTION 14 provides for the commencement of these regulations.

EC2006-22

HIGHWAY TRAFFIC ACT DECLARATION OF RECIPROCATING PROVINCES ORDER

Pursuant to section 150 of the *Highway Traffic Act*, R.S.P.E.I. 198, Cap. H-5, Council declared that all provinces and states of Canada, the United States of America, and the Republic of Mexico are reciprocating provinces.

EC2006-23

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SHAUNA BOEHNER
(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 Shauna Bohner of Hamilton, Ontario to acquire a land holding of approximately fourteen decimal five (14.5) acres of land in Lot 57, Queens County, Province of Prince Edward Island, being acquired from Barbara Drake and Kenneth Gillis, both of Vernon Bridge, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2006-24

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PAUL HANDS
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Paul Hands of Sherborn, Massachusetts to acquire a land holding of approximately fifteen (15) acres of land in Lot 47, Kings County, Province of Prince Edward Island, being acquired from Wade Bruce and Pamela Bruce, both of South Lake, Prince Edward Island.

EC2006-25

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
TOWN OF ALBERTON
(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 the Town of Alberton, Prince Edward Island to acquire a land holding of approximately nineteen decimal four eight (19.48) acres of land in Lot 4, Prince County, Province of Prince Edward Island, being acquired from the Alberton Development Co. Ltd. of Hunter River, Prince Edward Island.

EC2006-26

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

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Carmichael Farms Ltd. of Albany, Prince Edward Island to acquire a land holding of approximately one hundred and forty-nine decimal seven one (149.71) acres of land in Lot 27, Prince County, Province of Prince Edward Island, being acquired from Jarco Ltd. of Albany, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2006-27

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
FRANK J. FORESTRY LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Frank J. Forestry Ltd. of St. Chrysostome, Prince Edward Island to acquire a land holding of approximately two decimal three (2.3) acres of land in Lot 16, Prince County, Province of Prince Edward Island, being acquired from the Consolidated Credit Union Ltd. (Mortgagee in Possession) of Summerside, Prince Edward Island.

EC2006-28

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

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Harmony Farms Ltd. of Miscouche, Prince Edward Island to acquire a land holding of approximately seventy-nine decimal seven two (79.72) acres of land in Lot 21, Queens County, Province of Prince Edward Island, being acquired from Walter MacKinnon, Receiver of Cornwall, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2006-29

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

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Klondike Farms Ltd. of Wilmot Valley, Prince Edward Island to acquire a land holding of approximately one hundred and eight (108) acres of land in Lot 19, Prince County, Province of Prince Edward Island, being acquired from John Hogg of Wilmot Valley, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2006-30

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

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to MCM Holdings Ltd. of Miscouche, Prince Edward Island to acquire a land holding of approximately fourteen decimal three two (14.32) acres of land in Lot 13, Prince County, Province of Prince Edward Island, being acquired from Wayne Hill and Brian Hill, both of Summerside, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said MCM Holdings Ltd. and on all successors in title.

EC2006-31

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 NANCY L. KEY LAW CORPORATION
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Nancy L. Key Law Corporation of Summerside, Prince Edward Island to acquire a land holding of approximately thirty-nine decimal one nine (39.19) acres of land in Lot 21, Queens County, Province of Prince Edward Island, being acquired from Nancy L. Key of Summerside, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2006-32

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 PLAZACORP PROPERTY HOLDINGS 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 Plazacorp Property Holdings Inc. of Fredericton, New Brunswick to acquire an interest in a land holding of approximately two decimal seven one (2.71) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Plazacorp Property Holdings Inc. of Fredericton, New Brunswick.

EC2006-33

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 TOWNSHEND POTATO COMPANY LTD.
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Townshend Potato Company Ltd. of Rollo Bay West, Prince Edward Island to acquire a land holding of approximately three hundred and forty-nine (349) acres of land in Lots 43 and 56, Kings County, Province of Prince Edward Island, being acquired from Peter Townshend and Lynn Townshend (Partnership) of Rollo Bay West, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2006-34

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 TOWNSHEND POTATO COMPANY LTD.
 (APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Townshend Potato Company Ltd. of Rollo Bay West, Prince Edward Island to acquire a land holding of approximately one hundred and fifty (150) acres of land in Lot 42, Kings County, Province of Prince Edward Island, being acquired from Peter Townshend and Lynn Townshend (Partnership) of Rollo Bay West, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 181347, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

EC2006-35

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WALMER 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 Walmer Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately one decimal three one (1.31) acres of land at Summerside, Prince County, Province of Prince Edward Island, being acquired from 100355 P.E.I. Inc. of Belmont, Prince Edward Island.

EC2006-36

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
TOWNSHEND POTATO COMPANY LTD.
(APPROVAL)

Pursuant to section 5 and clause 5.3(1)(b) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Townshend Potato Company Ltd. of Rollo Bay West, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to five hundred and sixty (560) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Townshend Potato Company Ltd. files a statement with the Island Regulatory and Appeals Commission within one year of the date of this Order and prior to 31 December in every subsequent year disclosing the parcel number, the acreage and the term of lease for each parcel leased during the reporting period covered by the statement.