

EC2006-333

EXECUTIVE COUNCIL ACT
 MINISTER OF AGRICULTURE, FISHERIES AND AQUACULTURE
 AUTHORITY TO ENTER INTO AN AMENDING AGREEMENT
 (RE: AGREEMENT ON INTERNAL TRADE -
 CHAPTER NINE
 AGRICULTURAL AND FOOD GOODS)
 WITH THE
 GOVERNMENT OF CANADA
 AND THE
 GOVERNMENTS OF
 OTHER PROVINCES AND TERRITORIES

Pursuant to clauses 10(a) and (b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Agriculture, Fisheries and Aquaculture to enter into an agreement with the Government of Canada and the Governments of other provinces and territories, as represented by their respective Ministers responsible for agriculture, to amend the Agreement on Internal Trade to expand the scope and coverage of Chapter Nine, Agricultural and Food Goods to include all technical measures relating to internal trade in agricultural and food goods, such as more particularly described in the draft agreement.

EC2006-334

EXECUTIVE COUNCIL ACT
 MINISTER OF AGRICULTURE, FISHERIES AND AQUACULTURE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (FOREIGN ANIMAL DISEASE EMERGENCY SUPPORT
 MEMORANDUM OF UNDERSTANDING)
 WITH THE
 CANADIAN FOOD INSPECTION AGENCY

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 and Aquaculture to enter into a Memorandum of Understanding with the Canadian Food Inspection Agency to outline emergency management coordinating arrangements and roles in responding to a suspected or confirmed outbreak of foreign animal disease, such as more particularly described in the draft agreement.

EC2006-335

FINANCIAL ADMINISTRATION ACT
 TRANSFER ORDER

Pursuant to subsection 37.2(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council approved the transfer of one million, fifty thousand, six hundred dollars (\$1,050,600.00) from general government to the Department of Education, to cover salary increases for public sector employees in the education sector for fiscal year 2006-07.

EC2006-336

**LIMITED PARTNERSHIPS ACT
REGULATIONS
AMENDMENT**

Pursuant to section 33 of the *Limited Partnerships Act* R.S.P.E.I. 1988, Cap. L-13, Council made the following regulations:

1. Subsections 1(1) to (3) of the *Limited Partnerships Act* Regulations (EC740/83) are revoked.

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

2. The following fees are prescribed:	Fees
(a) for filing a declaration under subsection 3(1) or 24(1) of the Act.....	\$200.00
(b) for filing a new declaration.....	200.00
(c) for filing a declaration of change under subsection 18(1) or section 24(7).....	100.00
(d) for a certificate of good standing.....	50.00

3. Forms 1 to 3 in the Schedule to the regulations are revoked.

4. These regulations come into force on July 1, 2006.

EXPLANATORY NOTES

Section 1 amends the regulations to remove references to various forms of declarations that do not need to be prescribed by the regulations. The required content of these forms is already set out in the Act.

Section 2 amends the fees related to the filing of certain declarations and the issuance of a certificate of good standing.

Section 3 revokes the unneeded forms of declarations that are set out in the Schedule to the regulations.

Section 4 provides for the commencement of these regulations.

EC2006-337

**SUMMARY PROCEEDINGS ACT
TICKET REGULATIONS
AMENDMENT**

Pursuant to subsection 10(3) 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 “PESTICIDES CONTROL ACT REGULATIONS (EC543/84)” and the substitution of the following:

**PESTICIDES CONTROL ACT
REGULATIONS
(EC761/05)**

1 Failing to keep records of each pesticide use or application.....	9(1)	\$1000 (individual) 5000(corporation)
2 Failing to record a pesticide use or application within 72 hours after a pesticide use or application.....	9(2)	1000 (individual) 5000 (corporation)
3 Failing to keep records for at least three years from the date of the use or application of the pesticide.....	9(3)(a)	1000 (individual) 5000 (corporation)
4 Failing to make records available to officials	9(3)(b)	1000 (individual) 5000 (corporation)
5 Failing to provide annual sales data to the Minister for all domestic and non-domestic pesticides sold to retail customers for previous calendar year.....	12(1)	1000 (individual) 5000 (corporation)

6	Failing to prepare a written record of a sale of a non-domestic pesticide within 24 hours of the sale.....	17(1)	1000 (individual) 5000 (corporation)
7	Failing to prepare a written record of a sale of a Schedule 1 pesticide within 24 hours of the sale.....	17(2)	1000 (individual) 5000 (corporation)
8	Employee no longer authorized to use Pesticide Purchase Permit failing to return Permit immediately to operator of agricultural operation or to holder of Pesticide Application Business Licence	18(3)	1000 (individual) 5000 (corporation)
9	Failing to provide a copy of a Pesticide Application Permit upon request of an environment officer.....	19(4)	1000 (individual) 5000 (corporation)
10	Failing to keep or store a pesticide separate from foodstuff, feed or any other material intended for consumption by humans or animals.....	20(1)	1000 (individual) 5000 (corporation)
11	Failing to carry a Pesticide Application Permit when handling, loading, transporting, mixing or applying a Schedule 1 pesticide	21(1)	1000 (individual) 5000 (corporation)
12	Failing to properly label containers which contain seed treated with a pesticide	21(2)	1000 (individual) 5000 (corporation)
13	Failing to apply a pesticide in the manner specified on the label of the package of the pesticide	22	1000 (individual) 5000 (corporation)
14	Failing to dispose of a pesticide, a mixture containing a pesticide, or a material treated with a pesticide other than in the manner and using the method recommended by the manufacturer or Minister.....	23(a), (b),(c)	1000 (individual) 5000 (corporation)
15	Failing to provide proper prior notice, in writing or by phone, of a non-domestic pesticide application	24(1)	1000 (individual) 5000 (corporation)
16	Failing to include required information in the notice regarding the application of a non-domestic pesticide	24(2)	1000 (individual) 5000 (corporation)
17	Failing to post prior proper notice of a non-domestic pesticide application	25(1)	1000 (individual) 5000 (corporation)
18	Failing to include required information in the posted notice regarding the application of a non-domestic pesticide	25(2)	1000 (individual) 5000 (corporation)
19	Failing to ensure that signs are posted at all entrances and exits to a structure within which or to which a pesticide is applied	25(3)	1000 (individual) 5000 (corporation)
20	Failing to maintain clearly visible posted signs for the required time period following a pesticide application	25(4)	1000 (individual) 5000 (corporation)
21	Non-domestic Pesticide Vendor Business Licence holder failing to store pesticides in Phase III storage facility	26	1000 (individual) 5000 (corporation)
22	Failing to transport a pesticide in or on a vehicle with commodities in a manner not sufficient to prevent contamination	27(1)	1000 (individual) 5000 (corporation)
23	Failing to transport a concentrated non-domestic pesticide in or on a vehicle in the original manufacturer's sealed container in a manner that will ensure the pesticide will not spill	27(2)(a)	1000 (individual) 5000 (corporation)
24	Failing to transport a concentrated non-domestic pesticide in or on a vehicle in an enclosed leak proof container or properly secured to the transportation equipment.....	27(2)(b)	1000 (individual) 5000 (corporation)
25	Failing to ensure pesticide application equipment is locked while unattended	27(4)	1000 (individual) 5000 (corporation)
26	Failing to label a container containing seed treated with a pesticide while transporting or selling the seed	27(5)	1000 (individual) 5000 (corporation)
27	Operating ground agricultural equipment for a fee without holding a Class A Pesticide Application Business Licence	28(1)(a)	1000 (individual) 5000 (corporation)
28	Offering a service involving the application of a pesticide for the control of mosquitoes or biting flies without holding a Class B Pesticide Application Business Licence	28(1)(b)	1000 (individual) 5000 (corporation)
29	Offering a service involving the application of a non-fumigant pesticide to stored feed or to dwellings or structures without holding a Class C-1 Pesticide Application Business Licence	28(1)(c)	1000 (individual) 5000 (corporation)
30	Offering a service involving the application of a fumigant pesticide to stored feed or to dwellings or structures without holding a class C-2 Pesticide Application Business Licence	28(1)(d)	1000 (individual) 5000 (corporation)
31	Offering a service involving the application of a seed or seed-piece treatment pesticide without holding a Class D Pesticide Application Business Licence	28(1)(e)	1000 (individual) 5000 (corporation)
32	Offering a service involving the application of a pesticide to ornamental vegetation, golf course turf and other non-crop areas without holding a Class E Pesticide Application Business Licence	28(1)(f)	1000 (individual) 5000 (corporation)
33	Offering a pesticide application service for forestry herbicide application without holding a Class F-1 Pesticide Application Business Licence	28(1)(g)	1000 (individual) 5000 (corporation)
34	Offering a service involving the application of a pesticide for the production of tree seedlings for reforestation purposes without holding a Class F-2 Pesticide Application Business Licence	28(1)(h)	1000 (individual) 5000 (corporation)
35	Offering a service involving the application of a pesticide in a greenhouse without holding a Class G Pesticide Application Business Licence or a Class F-2 Pesticide Application Business Licence	28(1)(i)	1000 (individual) 5000 (corporation)
36	Offering a service involving the application of a soil fumigant pesticide without holding a Class H Pesticide Application Business Licence	28(1)(j)	1000 (individual) 5000 (corporation)

37	Offering a pesticide application service without holding a Class I Pesticide Application Business Licence	28(1)(k)	1000 (individual) 5000 (corporation)
38	Applying a non-domestic pesticide to control pests on agricultural land or on agricultural crop or product that is not located in a greenhouse without holding a Class A Pesticide Applicator Certificate or without being a certified assistant.....	28(2)(a)	1000 (individual) 5000 (corporation)
39	Applying a non-domestic pesticide to control mosquitoes or biting flies without holding a Class B Pesticide Applicator Certificate	28(2)(b)	1000 (individual) 5000 (corporation)
40	Applying a non-domestic, non-fumigant pesticide to stored feed, dwellings or other structures without holding a Class C-1 Pesticide Applicator Certificate	28(2)(c)	1000 (individual) 5000 (corporation)
41	Applying a fumigant pesticide to stored feed, dwellings or other structures without holding a Class C-2 Pesticide Applicator Certificate	28(2)(d)	1000 (individual) 5000 (corporation)
42	Applying a non-domestic pesticide as a seed or seed-piece treatment without holding a Class D Pesticide Applicator Certificate	28(2)(e)	1000 (individual) 5000 (corporation)
43	Applying a non-domestic pesticide to ornamental vegetation, golf course turf and other non-crop areas without holding a Class E Pesticide Applicator Certificate	28(2)(f)	1000 (individual) 5000 (corporation)
44	Applying a non-domestic forestry herbicide without holding a Class F-1 Pesticide Applicator Certificate	28(2)(g)	1000 (individual) 5000 (corporation)
45	Applying a non-domestic pesticide for the production of tree seedlings for reforestation purposes without holding a Class F-2 Pesticide Applicator Certificate.....	28(2)(h)	1000 (individual) 5000 (corporation)
46	Applying a non-domestic pesticide in a greenhouse without holding a Class G Pesticide Applicator Certificate	28(2)(i)	1000 (individual) 5000 (corporation)
47	Applying a soil fumigant pesticide without holding a Class H Pesticide Applicator Certificate	28(2)(j)	1000 (individual) 5000 (corporation)
48	Applying a non-domestic pesticide for any purpose not specified in Classes A to H Pesticide Applicator Certificates without holding a Class I Pesticide Applicator Certificate	28(2)(k)	1000 (individual) 5000 (corporation)
49	Handling or transporting on a highway a non-domestic pesticide without holding a proper certificate or without being a certified assistant.....	29(1)	1000 (individual) 5000 (corporation)
50	Mixing a non-domestic pesticide without holding a proper certificate or without being a certified assistant.....	29(2)	1000 (individual) 5000 (corporation)
51	Operating a business involving the sale or supply of a non-domestic pesticide without holding a Non-domestic Pesticide Vendor Business Licence	30	1000 (individual) 5000 (corporation)
52	Selling a non-domestic or a Schedule 1 pesticide to a person without holding a Non-domestic Pesticide Vendor Certificate	31(1)	1000 (individual) 5000 (corporation)
53	Providing pesticide related information or recommendations to another person without holding a Non-domestic Pesticide Vendor Certificate	31(2)	1000 (individual) 5000 (corporation)
54	Selling or offering to sell a non-domestic pesticide to a purchaser who does not hold an appropriate certificate, permit or licence	32(1)	1000 (individual) 5000 (corporation)
55	Purchasing a non-domestic pesticide without holding an appropriate certificate or permit	32(2)	1000 (individual) 5000 (corporation)
56	Purchasing a Schedule 1 pesticide without holding an appropriate certificate and permit	32(3)	1000 (individual) 5000 (corporation)
57	Selling or offering to sell a Schedule 1 pesticide to a purchaser who does not hold an appropriate certificate, permit and licence	32(4)	1000 (individual) 5000 (corporation)
58	Improper use of a Pesticide Purchase Permit	33	1000 (individual) 5000 (corporation)
59	Giving, transferring, selling, lending or assigning a Pesticide Purchase Permit without authorization	34	1000 (individual) 5000 (corporation)
60	Applying a pesticide to any open body of water; to control mosquitoes or biting flies; or within a buffer zone without holding a Pesticide Application Permit	35(a), (b),(c)	1000 (individual) 5000 (corporation)
61	Applying a Schedule 1 pesticide without holding a Pesticide Application Permit	35(d)	1000 (individual) 5000 (corporation)
62	Applying a prohibited pesticide	36	1000 (individual) 5000 (corporation)
63	Applying a pesticide or pesticide mixture using an aircraft....	37	1000 (individual) 5000 (corporation)
64	Filling, discharging, washing or flushing out any sprayer or other application equipment within 25 meters of an open body of water.....	38(1)(a)	1000 (individual) 5000 (corporation)
65	Discharging, washing or flushing out any sprayer or other equipment used to apply pesticides within 25 meters of a water well.....	38(1)(b)	1000 (individual) 5000 (corporation)
66	Bringing or abandoning a container in which a pesticide has been stored within 25 meters of an open body of water	38(3)	1000 (individual) 5000 (corporation)
67	Applying a pesticide when wind speed exceeds 20 km/h	39	1000 (individual) 5000 (corporation)
68	Discharging a pesticide, pesticide mixture or solution from equipment in a manner not permitted by the manufacturer's label	40	1000 (individual) 5000 (corporation)

2. These regulations come into force on June 24, 2006.**EXPLANATORY NOTES**

The amendment adds offence and penalty provisions in the *Summary Proceedings Act* Ticket Regulations for offences and penalties outlined in the *Pesticides Control Act* Regulations.

EC2006-338

**ADVISORY COUNCIL ON THE STATUS OF WOMEN ACT
ADVISORY COUNCIL ON THE STATUS OF WOMEN
APPOINTMENTS**

Pursuant to section 5 of the *Advisory Council on the Status of Women Act* R.S.P.E.I. 1988, Cap. A-6 Council made the following appointments:

NAME	TERM OF APPOINTMENT
Kirstin Lund Stratford (reappointed)	28 January 2006 to 28 January 2008
Elaine Rabinowitz Breadalbane (reappointed)	28 January 2006 to 28 January 2008
Isabel Christian Charlottetown (vice Wendy MacLaren, term expired)	13 June 2006 to 13 June 2009

Further, in accordance with section 7 of the said Act, Council appointed Kirstin Lund of Stratford as chairperson and Elaine Rabinowitz as vice-chairperson for the duration of their terms.