

**EC2006-382**

EXECUTIVE COUNCIL ACT  
 COMMITTEE OF THE EXECUTIVE COUNCIL  
 THE STRATEGIC PLANNING COMMITTEE  
 ON COMMUNITY AND SOCIAL POLICY  
 APPOINTMENT

Pursuant to subsection 9(2) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12, Council appointed Elizabeth L.A. MacKenzie, M.L.A., to the Strategic Planning Committee on Community and Social Policy, effective 18 July 2006.

**EC2006-383**

EXECUTIVE COUNCIL ACT  
 MINISTER OF AGRICULTURE, FISHERIES AND AQUACULTURE  
 AUTHORITY TO ENTER INTO AN AGREEMENT  
 (CANADA-PRINCE EDWARD ISLAND IMPLEMENTATION AGREEMENT  
 AMENDING AGREEMENT NO. 10)  
 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 and Aquaculture to enter into an agreement with the Government of Canada, as represented by the Minister of Agriculture and Agri-Food, to amend the negative margin coverage offered to producers under the Canadian Agricultural Income Stabilization Program, such as more particularly described in the draft agreement.

**EC2006-384**

FINANCIAL ADMINISTRATION ACT  
 CITY OF CHARLOTTETOWN  
 LOAN GUARANTEE

Having under consideration the recommendation of Treasury Board (reference Minute TB#106/06 of 22 June 2006), 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 guarantee issued by the City of Charlottetown to Capital Area Recreation Inc. (CARI) (hereinafter referred to as "the borrower") on a demand loan in an amount not exceeding eight-hundred and fifty thousand dollars (\$850,000.00) (hereinafter referred to as the "guaranteed indebtedness") together with interest thereon at the Scotiabank, Charlottetown, Prince Edward Island (hereinafter referred to as "the lender") prime lending rate minus zero decimal three five per cent per annum with interest payable monthly, from the 18<sup>th</sup> day of July 2006 through to and including 1700 hours on the 31<sup>st</sup> day of December 2008, 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 31<sup>st</sup> day of December 2008.
2. Any advances made by the lender after the 31<sup>st</sup> day of December 2008 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 31<sup>st</sup> day of December 2008 regardless of any advances that may have been made by the lender to the borrower unless on or before the 31<sup>st</sup> day of December 2008, written 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 written demand has been made 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, should the City of Charlottetown demand payment on this guarantee, to offset the default balance from any source of municipal property taxes of the City of Charlottetown.
5. 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.
6. The Provincial Treasurer may add such further terms and conditions to the guarantee as considered appropriate.
7. 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 6 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.

**EC2006-385**

FINANCIAL ADMINISTRATION ACT  
PRINCE EDWARD ISLAND ENERGY CORPORATION  
DECLARATION TO RETAIN PROFIT  
(FISCAL YEAR 2005/2006)

Having under consideration the recommendation of the Treasury Board (reference TB122/06 of 5 July 2006) and pursuant to section 72 of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council declared that the profit of the Prince Edward Island Energy Corporation for the year ended 31 March 2006 in the amount of \$773,726.00 be retained by the Corporation.

**EC2006-386**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
DON HORRICKS AND NORVELLA FAYE HORRICKS  
(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 Don Horricks and Norvella Faye Horricks, both of Wyoming, Ontario to acquire a land holding of approximately eighty-two (82) acres of land in Lot 30, Queens County, Province of Prince Edward Island, being acquired from Marwood Properties Inc. of Georgetown, Prince Edward Island.

Further, Council noted that the each of the five lots, being Provincial Property No. 218669, 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.

**EC2006-387**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ALLISON RUSHTON  
(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 Allison Rushton of Fort Saint John, British Columbia to acquire a land holding of approximately ninety-four decimal eight (94.8) acres of land in Lot 13, Prince County, Province of Prince Edward Island, being acquired from Leland Murray 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.

**EC2006-388**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ALLISON RUSHTON  
(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 Allison Rushton of Fort Saint John, British Columbia to acquire a land holding of approximately one decimal four seven (1.47) acres of land in Lot 13, Prince County, Province of Prince Edward Island, being acquired from Leland Murray of Summerside, Prince Edward Island.

**EC2006-389**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 RICHARD P. THAYER AND DIANE J. THAYER  
 (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 Richard P. Thayer and Diane J. Thayer, both of Farmington, New Hampshire to acquire a land holding of approximately fifty-five (55) acres of land in Lot 42, Kings County, Province of Prince Edward Island, being acquired from Blair MacKinnon and Darlene MacKinnon, both of St. Peters Bay, 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.

**EC2006-390**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 A & R ADVENTURES 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 A & R Adventures Inc. of Kinkora, Prince Edward Island to acquire a land holding of approximately zero decimal three (0.3) acres of land in Lot 49, Queens County, Province of Prince Edward Island, being acquired from Irving Oil Limited of Saint John, New Brunswick.

**EC2006-391**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 GAVCO FISHING ENTERPRISES 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 Gavco Fishing Enterprises Ltd. of Seacow Pond, Prince Edward Island to acquire a land holding of approximately five decimal two three (5.23) acres of land in Lot 1, Prince County, Province of Prince Edward Island, being acquired from Prince Edward Island Business Development Inc. of Charlottetown, Prince Edward Island.

**EC2006-392**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
J.D.L. HOLDINGS INC.  
(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 J.D.L. Holdings Inc. of St. Philippe, Prince Edward Island to acquire a land holding of approximately fifty-eight (58) acres of land in Lot 14, Prince County, Province of Prince Edward Island, being acquired from Alyre Arsenault of Richmond, 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.

**EC2006-393**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
J.D.L. 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 J.D.L. Holdings Inc. of St. Philippe, Prince Edward Island to acquire a land holding of approximately seven decimal eight six (7.86) acres of land in Lots 14 and 16, Prince County, Province of Prince Edward Island, being acquired from Alyre Arsenault of Richmond, Prince Edward Island.

**EC2006-394**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ROBERTS 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 Roberts Holdings Inc. of Kinkora, Prince Edward Island to acquire a land holding of approximately three decimal one nine (3.19) acres of land in Lot 37, Queens County and Lot 45, Kings County, Province of Prince Edward Island, being acquired from Irving Oil Company Limited of Saint John, New Brunswick.

**EC2006-395**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
URBAN POUCH PACK (2005) 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 Urban Pouch Pack (2005) Ltd. of Bloomfield, Prince Edward Island to acquire a land holding of approximately one decimal zero one (1.01) acres of land in Lot 5, Prince County, Province of Prince Edward Island, being acquired from Prince Edward Island Business Development Inc. of Charlottetown, Prince Edward Island.

**EC2006-396**

PUBLIC DEPARTMENTS ACT  
ACTING MINISTER  
APPOINTMENT

Under authority of subsection 4(2) of the *Public Departments Act*, R.S.P.E.I. 1988, Cap. P-29 the following appointment was made:

Honourable Mitch Murphy to be Acting Minister of Community and Cultural Affairs commencing on the 23rd day of July 2006, and continuing for the duration of the absence from the Province of Honourable Elmer MacFadyen.

**EC2006-397**

SCHOOL ACT  
STUDENTS AND PARENTS REGULATIONS  
AMENDMENT

Pursuant to section 147 of the *School Act* R.S.P.E.I. 1988, Cap. S-2.1, Council made the following regulations:

**1. Section 1 of the *School Act* Students and Parents Regulations (EC69/96) is amended by the revocation of subsection (2) and the substitution of the following:**

(2) No person under the age of six years may be enrolled in a school, *Idem* unless

- (a) the person may be enrolled in school under subsection (1);
- (b) the person within six months before seeking enrolment in a school in the province,
  - (i) was enrolled in a formal school program in another jurisdiction, and
  - (ii) received regular progress assessments from the administrator of the formal school program in the other jurisdiction that are provided and acceptable to the school board enrolling the person under this section; or
- (c) the person's date of birth cannot be determined and the person is assessed as being school-ready by the school board.

**2. These regulations come into force on July 29, 2006.**

**EXPLANATORY NOTES**

**SECTION 1** provides exceptions to the requirement that a child be six years old for enrolment in a school. This covers a situation where a child's date of birth is unknown because the child is a refugee and the child's parents are dead, or a child who has been adopted from another country but the date of birth is unknown. It also applies where a child has already been in a formal school program in another jurisdiction or where the child reaches six by the deadline given in subsection (1).

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

**EC2006-398****SOCIAL ASSISTANCE ACT  
ESTABLISHED RATES OF FINANCIAL ASSISTANCE  
(APPROVED)**

Under authority of section 4.1 of the *Social Assistance Act*, R.S.P.E.I. 1988, Cap. S-4.3, Council approved an increase in the established rate for a healthy child allowance from \$76.00 to \$95.00 per child per month, effective August 1, 2006.