

Royal Gazette

Prince Edward Island

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Charlottetown, Prince Edward Island, August 23rd, 2003

**CANADA
PROVINCE OF PRINCE EDWARD ISLAND
IN THE SUPREME COURT - ESTATES DIVISION**

TAKE NOTICE that at all persons indebted to the following estates must make payment to the personal representative of the estates noted below, and that all persons having any demands upon the following estates must present such demands to the representative within six months of the date of the advertisement:

Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
BREHAUT, Kathryn Annabelle Murray River RR#1 High Bank Kings Co., PE August 23rd, 2003 (34-47)*	Janice Maria Krug (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
FARQUHARSON, Helen B. Brookline Norfolk County Massachusetts, USA August 23rd, 2003 (34-47)*	Paul Farquharson (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
HIGGINS, June Henriette Charlottetown Queens Co., PE August 23rd, 2003 (34-47)*	Jeffrey E. Lantz (EX.)	Cox Hanson O'Reilly Matheson PO Box 875 Charlottetown, PE
KEEP, Ora May RR#1 Pownal Queens Co., PE August 23rd, 2003 (34-47)*	Olive Judson (EX.)	Foster Hennessey MacKenzie PO Box 38 Charlottetown, PE
LARRABEE, Christene Grace Belle River Queens Co., PE August 23rd, 2003 (34-47)*	Eldon J. Larrabee Roger A. Larrabee (EX.)	Campbell Lea PO Box 429 Charlottetown, PE

**Indicates date of first publication in the Royal Gazette.*

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<http://www.gov.pe.ca/royalgazette>

**CANADA
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MATHESON, Herbert Angus Charlottetown Queens Co., PE August 23rd, 2003 (34-47)*	Donna Switzer (EX.)	Ian W. H. Bailey, QC PO Box 1850 Charlottetown, PE
GAUTHIER, Frank Aeneas Charlottetown Queens Co., PE August 23rd, 2003 (34-47)*	Evelyn Gauthier (AD.)	MacLeod Crane & Parkman PO Box 1056 Charlottetown, PE
BERNARD, Gladys Summerside Prince Co., PE August 16th, 2003 (33-46)	David Bernard Anne Bernard (EX.)	Lyle & McCabe PO Box 300 Summerside, PE
ELLIS, William O'Leary Prince Co., PE August 16th, 2003 (33-46)	Alvin George (Bud) Ellis (EX.)	Regena Kaye Russell PO Box 383 O'Leary, PE
MacDONALD, Amy Edna Crapaud Queens Co., PE August 16th, 2003 (33-46)	Brian MacDonald Ronald Myers (EX.)	Birt & McNeill PO Box 20063 Sherwood, PE
MacKENZIE, Effie Jean Charlottetown Queens Co., PE August 16th, 2003 (33-46)	J. Scott MacKenzie (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
MacPHERSON, Percy Montague Kings Co., PE August 16th, 2003 (33-46)	Margaret Elizabeth Munn (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE
MARKS, Judith A. Colbert Washington, USA August 16th, 2003 (33-46)	David E. Marks (EX.)	Patterson Palmer 82 Summer Street Summerside, PE

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MOORE, Allen Franklin Victoria West Prince Co., PE August 16th, 2003 (33-46)	Milton Moore (EX.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
DOUCETTE, Louis Joseph Charlottetown Queens Co., PE August 16th, 2003 (33-46)	Yvette Marie Reid Lucille Isabelle Doucette (AD.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
FEEHAN, Henry F. Mount Stewart Queens Co., PE August 16th, 2003 (33-46)	Michael A. Farmer, QC (AD.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MacQUARRIE, Heath Nelson Ottawa Ontario August 9th, 2003 (32-45)	Flora MacQuarrie (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
HENDERSON, Ruth Mary Sackville Westmoreland Co., NS August 9th, 2003 (32-45)	Harold D. Henderson (AD.)	Campbell Stewart PO Box 485 Charlottetown, PE
MacEACHERN, Lester Route 57, Port Murray New Jersey, USA August 9th, 2003 (32-45)	Lisa (Madey) MacEachern (AD.)	Campbell Stewart PO Box 485 Charlottetown, PE
MacPHEE, Everett D. Largo Pinellas County Florida, USA August 2nd, 2003 (31-44)	Alice MacPhee (EX.)	Birt & McNeill PO Box 20063 Sherwood, PE
VESSEY, Irving Dunstaffnage Queens Co., PE August 2nd, 2003 (31-44)	Glen Vessey (EX.)	Campbell Lea PO Box 429 Charlottetown, PE

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Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (EX) Administrator/Administratrix (Ad)	Place of Payment
DE BELLE, Mary Norma Summerside Prince Co., PE July 26th, 2003 (30-43)	George E. C. De Belle (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
GALLANT, Francis X. Tignish Prince Co., PE July 26th, 2003 (30-43)	Carl Doucette (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
GAMBLE, Robert Frederick Ottawa Ontario July 26th, 2003 (30-43)	Robert Daniel Gamble Thomas Neil Gamble (EX.)	MacLeod Crane & Parkman PO Box 1056 Charlottetown, PE
KAYS, Paul Charlottetown Queens Co., PE July 26th, 2003 (30-43)	Mary Kays (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
KELLY, Ivan Ambrose Scotchfort Queens Co., PE July 26th, 2003 (30-43)	Estelle Bourgeois (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
MacDONALD, Lela Red House Kings Co., PE July 26th, 2003 (30-43)	Garnet MacDonald Annie Livingstone (EX.)	Allen J. MacPhee Law Corporation PO Box 236 Souris, PE
MacDONELL, Ellen May Charlottetown Queens Co., PE July 26th, 2003 (30-43)	Anne C. Hyde (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
MacLEAN, M. Dorothy St. Peters Bay Kings Co., PE July 26th, 2003 (30-43)	Janice (Fraser) MacKinnon (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
MacSWAIN, Carol Anne Morell Kings Co., PE July 26th, 2003 (30-43)	Norman MacSwain (EX.)	Curley Sanderson 91 Water Street Charlottetown, PE

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NOONAN, Margaret Mary Albany Prince Co., PE July 26th, 2003 (30-43)	Timothy Patrick Noonan (EX.)	Donald Schurman 155A Arcona Street Summerside, PE
SMITH, Judith Gerardine Charlottetown Queens Co., PE July 26th, 2003 (30-43)	Kirk Cutcliffe (EX.)	Curley Sanderson 91 Water Street Charlottetown, PE
WOOLHOUSE, Margaret Alice Bell Stratford Queens Co., PE July 26th, 2003 (30-43)	Daphne E. Dumont Peter Myles Woolhouse George Bell Woolhouse (EX.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
JOHNSTON, Verne Millar Murray Harbour North Kings Co., PE July 26th, 2003 (30-43)	Wendell Johnston (AD.)	Cox Hanson O'Reilly Matheson PO Box 875 Charlottetown, PE
BELL, William Long River Queens Co., PE July 12th, 2003 (28-41)	Evelyn Bell (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
MacDOUGALL, Annie Kathleen Charlottetown Queens Co., PE July 12th, 2003 (28-41)	Jessie E. McCrady (EX.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
MacLEOD, Kenneth L. Brudenell Kings Co., PE July 12th, 2003 (28-41)	Rita Donahoe (EX.)	Alfred K. Fraser, QC PO Box 516 Montague, PE
MacLEOD, Lawrence Wallace Montague Kings Co., PE July 12th, 2003 (28-41)	John Lawrence MacLeod (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE
CUDMORE, Leo Charlottetown Queens Co., PE July 5th, 2003 (27-40)	Shelley Cudmore (EX.)	Philip Mullally, QC PO Box 2560 Charlottetown, PE

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DesROCHES, Mary Rose Delima Tignish Prince Co., PE July 5th, 2003 (27-40)	Aldona Hall Rev. Albin Arsenault (EX.)	J. Allan Shaw Law Corporation PO Bo x 40 Alberton, PE
MacLEOD, A. Winnifred Charlottetown Queens Co., PE July 5th, 2003 (27-40)	T. A. Clare Haslam David E. R. Haslam (EX.)	Farmer & MacLeod National Bank Tower Suite 205, 134 Kent Street Charlottetown, PE
McCOMBS, Annie Vera 51 Breadalbane Street Hamilton, ON July 5th, 2003 (27-40)	Charlene Dianne Schoenholz (EX.)	MacLeod Crane & Parkman PO Box 1056 Charlottetown, PE
O'DONNELL, Blanche Elizabeth Charlottetown Queens Co., PE July 5th, 2003 (27-40)	Terrence Murphy (EX.)	Taylor McLellan PO Box 35 Summerside, PE
SHARBELL, Dale Edward Coleman Prince Co., PE July 5th, 2003 (27-40)	Maria Sharbell (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
CUSACK, Mabel Irene Charlottetown Queens Co., PE July 5th, 2003 (27-40)	James Walter Cusack (AD.)	Ian W. H. Bailey PO Box 1850 Charlottetown, PE
JEWELL, Ruby Maude Bedeque Prince Co., PE July 5th, 2003 (27-40)	L. Leigh Jewell (AD.)	Key McKnight & Maynard PO Box 1570 Summerside, PE
FOSTER, Minto G. Charlottetown (Formerly Parkdale) Queens Co., PE June 28th, 2003 (26-39)	Earl Dixon Foster Sandra M. Yeo (EX.)	Farmer & MacLeod National Bank Tower Suite 205, 134 Kent Street Charlottetown, PE

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GALLANT, Joseph T. Charlottetown Queens Co., PE June 28th, 2003 (26-39)	Kathleen (Kay) G. Gallant (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
HOGG, Alice Hall Summerside Prince Co., PE June 28th, 2003 (26-39)	Vivian Wright David Schurman (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
KANE, Imelda Ann Montreal Quebec June 28th, 2003 (26-39)	Gemma Catherine O'Sullivan (Kane) (EX.)	Greg B. Collins Law Office National Bank Tower Suite 405, 134 Kent Street Charlottetown, PE
MacLEOD, Robert Martin Fairview Queens Co., PE June 28th, 2003 (26-39)	Edith Clara MacLeod (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE
POWER, Mary Janet Summerside Prince Co., PE June 28th, 2003 (26-39)*	Richard MacDonald (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
WEDLOCK, Amanda Juanita Clinton (Formerly of Summerside) Prince Co., PE June 28th, 2003 (26-39)*	Elwin Sherren (EX.)	MacLeod Crane & Parkman PO Box 1056 Charlottetown, PE
LAVERTY, Elmer Louis Auburn RR#3 Mount Stewart Queens Co., PE June 21st, 2003 (25-38)	Mary Patricia Laverty Cecil Daniel Laverty (EX.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
RUSSELL, Robert P. Orange Park, County of Clay Florida, USA June 21st, 2003 (25-38)	Ann Russell Leach James P. Russell (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE

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SHAMA, Peter Edward Charlottetown Queens Co., PE June 21st, 2003 (25-38)	Arthur Shama Nancy Dunbar (EX.)	Philip Mullally, QC PO Box 2560 Charlottetown, PE
TASSELL, Fannie Annandale Kings Co., PE June 21st, 2003 (25-38)	Jack Tassell (AD.)	Cox Hanson O'Reilly Matheson PO Box 875 Charlottetown, PE
TASSELL, William Annandale Kings Co., PE June 21st, 2003 (25-38)	Jack Tassell (AD.)	Cox Hanson O'Reilly Matheson PO Box 875 Charlottetown, PE
ARSENAULT, Phyllis St. Peter and St. Paul Prince Co., PE June 14th, 2003 (24-37)	Sylvie Arlene Arsenault Brian Arsenault (EX.)	Key McKnight & Maynard PO Box 177 O'Leary, PE
DEWIS, Douglas Scott Victoria British Columbia June 14th, 2003 (24-37)	Debra Charlene Dewis (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE
MacLEAN, Angus L. Murray River Kings Co., PE June 14th, 2003 (24-37)	Jamie A. Miller (EX.)	MacLeod Crane & Parkman PO Box 1056 Charlottetown, PE
TAYLOR, Dorothy Grace Albany, Tryon RR#2 Prince Co., PE June 14th, 2003 (24-37)	Sheldon Earl Howatt Marion Ellen Howatt (EX.)	Taylor McLellan PO Box 35 Summerside, PE
BULGER, David Peter Cape Wolfe Prince Co., PE June 14th, 2003 (24-37)	Leith Bulger Brent Bulger (AD.)	Regena Kaye Russell PO Box 383 O'Leary, PE
MacLEOD, John Kenneth Orwell Cove Queens Co., PE June 14th, 2003 (24-37)	Barbara Drake (AD.)	Barbara Drake Vernon Bridge, PE

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DUFFETT, Lillian Doreen Charlottetown Queens Co., PE June 7th, 2003 (23-36)	Doris Harriette Clarke (EX.)	Philip Mullally, QC PO Box 2560 Charlottetown, PE
MacDONALD, Mary Lillian Stratford Queens Co., PE June 7th, 2003 (23-36)	Robert B. Harvey (EX.)	Farmer & MacLeod National Bank Tower Suite 205, 134 Kent Street Charlottetown, PE
MacMILLAN, Walter Allison Charlottetown Queens Co., PE June 7th, 2003 (23-36)	Carol MacMillan Heather MacMillan (EX.)	Heather MacMillan 3 Yorkshire Drive. Charlottetown, PE
MacPHEE, Annie E. Souris Kings Co., PE June 7th, 2003 (23-36)	Isabel McLean (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
POTTEN, Elizabeth Anne Riverton Mount Stewart RR#5 Kings Co., PE June 7th, 2003 (23-36)	Cathryn Dagenais (EX.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
STEWART, Lois Jean Elmsdale Prince Co., PE June 7th, 2003 (23-36)	Lea Donald Stewart (EX.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
BRANDER, Christopher John Kensington Prince Co., PE June 7th, 2003 (23-36)	Wallace Brander (AD.)	Patterson Palmer 82 Summer Street Summerside, PE
MacLENNAN, Adam John Kensington Prince Co., PE June 7th, 2003 (23-36)	Gloria MacLennan (AD.)	Key McKnight & Maynard PO Box 177 O'Leary, PE

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MacPHERSON, Angus Belmont Middlesex Co. Massachusetts, USA June 7th, 2003 (23-36)	John Flood (AD.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
STEWART, Michele Katherine Kensington Prince Co., PE June 7th, 2003 (23-36)	Lucille Stewart (AD.)	Key McKnight & Maynard PO Box 177 O'Leary, PE
BAKER, Lyman Lakeville Kings Co., PE May 31st, 2003 (22-35)	Anita Baker Carl Baker (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
BIDINOST, Madeline M. Dartmouth Halifax Co., NS May 31st, 2003 (22-35)	Louis A. Bidinost (EX.)	Birt & McNeill PO Box 20063 Sherwood, PE
CAMPBELL, Stanley Emmett Dundas Kings Co., PE May 31st, 2003 (22-35)	Sharon Anne MacEachern (EX.)	Alfred K. Fraser, QC PO Box 516 Montague, PE
MacLEAN, Earl Woodrow Vernon Bridge RR#1 Queens Co., PE May 31st, 2003 (22-35)	Rena M. MacPherson (EX.)	Reagh & Reagh 17 West Street Charlottetown, PE
MacPHERSON, Adele Marion Montague Kings Co., PE May 31st, 2003 (22-35)	Judy Misener (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE
PROFITT, Frederick W. Spring Valley Prince Co., PE May 31st, 2003 (22-35)	William Profitt James Profitt (EX.)	Ramsay & Clark PO Box 96 Summerside, PE

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STAUDT, Edith Hermine Gertrud Summerside Prince Co., PE May 31st, 2003 (22-35)	Marshall Callbeck Olga Callbeck (EX.)	Taylor McLellan PO Box 35 Summerside, PE
WATTS, Mildred A. Charlottetown Queens Co., PE May 31st, 2003 (22-35)	Shirlene Mann (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
DOYLE, Thomas Ambrose Charlottetown Queens Co., PE May 31st, 2003 (22-35)	Leo P. Doyle (AD.)	Farmer & MacLeod National Bank Tower Suite 205, 134 Kent Street Charlottetown, PE
AYERS, George Wilfred Charlottetown Queens Co., PE May 24th, 2003 (21-34)	Susan Paynter Sheila Ayers (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
EASTER, Edward B. Indian River Prince Co., PE May 24th, 2003 (21-34)	Alton Ramsay Alan Champion (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
LECKY, Alfreda Eileen Summerside Prince Co., PE May 24th, 2003 (21-34)	Hester Maciaczyk Shirley Bowness (EX.)	David R. Hammond, QC 740A Water Street East Summerside, PE
MacLEOD, Edith Catherine Murray Harbour Kings Co., PE May 24th, 2003 (21-34)	Ethelbert "Bert" MacLeod (EX.)	Alfred K. Fraser, QC PO Box 516 Montague, PE
RYAN, Louis Joseph Charlottetown Queens Co., PE May 24th, 2003 (21-34)	Daniel A. J. Ryan Steven Ryan (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
CORBETT, James H. Wilmot Valley Prince Co., PE May 24th, 2003 (21-34)	Farrley Corbett (AD.)	David R. Hammond, QC 740A Water Street East Summerside, PE

The following orders were approved by His Honour the Lieutenant Governor in Council dated 12 August 2003.

EC2003-431**PROVINCIAL EMBLEMS AND HONOURS ACT
ORDER OF PRINCE EDWARD ISLAND ADVISORY COUNCIL
APPOINTMENTS**

Pursuant to clause 6(2)(d) of the *Provincial Emblems and Honours Act* R.S.P.E.I. 1988, Cap. P-26.1 Council made the following appointments:

NAME	TERM OF APPOINTMENT
for Prince County	
Sharon Wedge	8 July 2003
Kildare Capes	to
(reappointed)	8 July 2005
for Queens County	
Simon Compton	8 July 2003
Stratford	to
(reappointed)	8 July 2005
for Kings County	
Robert Rose	8 July 2003
Lakeville	to
(reappointed)	8 July 2005

Further, Council designated Sharon Wedge to continue as chairperson of the Council for the duration of her term as a member, in accordance with subsection 6(4) of the said Act.

EC2003-435**ROADS ACT
OPERATOR OF AN APPROVED WEIGHING DEVICE
DESIGNATION**

Under authority of subsection 52(7) of the *Roads Act* R.S.P.E.I. 1988, Cap. R-15 Council designated Stephen R. Clory of Georgetown as being qualified to operate an approved weighing device effective 23 August 2003.

EC2003-437

**SUPREME COURT ACT
RULES OF CIVIL PROCEDURE
SEVENTH SERIES OF AMENDMENTS
TO THE
1996 CONSOLIDATION
AND
PUBLICATION MANNER
DETERMINED**

Under authority of subsection 25(1) of the *Supreme Court Act*, R.S.P.E.I. 1988, Cap. S-10 Council approved the Seventh Series of Amendments to the 1996 Consolidated Version of the Rules of Civil Procedure, said amendments having been made by the Rules Committee at its various meetings held between October, 2002 and June, 2003 and all to come into force except Rule 74 on the 1st day of September 2003. Rule 74 shall come into force on the 1st day of January 2004.

Further, under authority of subsection 25(2) of the said Act, Council determined that publication of a Notice in the Royal Gazette shall be deemed to be publication of the approved Seventh Series of Amendments to the 1996 Consolidated Version of the Rules of Civil Procedure and that no further publication relating to the said Amendments shall be necessary.

Signed,
Lynn E. Ellsworth
Clerk of the Executive Council

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PROCLAMATION

CANADA

PROVINCE OF PRINCE EDWARD ISLAND

(Great Seal)

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.

HON. J. LÉONCE BERNARD
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 8 of Chapter 37 of the Acts passed by the Legislature of Prince Edward Island in the 4th Session thereof held in the year 2003 and in the fifty-second year of Our Reign intituled "An Act to Amend the Financial Administration Act (No. 2)" 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."

<http://www.gov.pe.ca/royalgazette>

AND WHEREAS it is deemed expedient that the said Act, Stats. P.E.I. 2003, 4th Session, c. 37 should come into force on the 23rd day of August, 2003,

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 Financial Administration Act (No. 2)" passed in the fifty-second year of Our Reign shall come into force on the twenty-third day of August, two thousand and three 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 twelfth day of August in the year of Our Lord two thousand and three and in the fifty-second year of Our Reign.

By Command,
LYNN E. ELLSWORTH
Clerk of the Executive Council

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NOTICE

HIGHWAY TRAFFIC ACT ROADS ACT DANGEROUS GOODS (TRANSPORTATION) ACT

I hereby appoint **Stephen Richard Clory** as a Peace Officer under Section 10 of the **Highway Traffic Act**, RSPEI 1988, and an Inspector under both Sections 13 of the **Roads Act** and Section 10(1) of the **Dangerous Goods (Transportation) Act**. This appointment provides the power for enforcing the said Acts and Regulations.

This appointment remains effective until cancelled or for as long as the incumbent is employed as a Highway Safety Officer with the Department of Transportation and Public Works.

Dated at Charlottetown, Prince Edward Island, this 12th day of August, 2003.

Signed
Gail Shea, Minister
Department of Transportation and Public Works

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DESIGNATIONS UNDER SECTIONS 186(5), 188(1)(b) AND 487.01**CRIMINAL CODE OF CANADA**

Pursuant to Sections 186(5), 188(1)(b) and 487.01 of the *Criminal Code*, I hereby designate

RUBY DRUCILLA BURNS

Criminal Operations Officer, "L" Division of the Royal Canadian Mounted Police, Charlottetown, Prince Edward Island, and any person acting under the authority of the said Ruby Drucilla Burns, to fulfill the terms and conditions of Authorizations issued pursuant to Sections 186(5), 188(1)(b) and 487.01 of the *Criminal Code*.

Dated at the City of Charlottetown, this 18th day of August 2003.

Jeffrey E. Lantz
Attorney General
Province of Prince Edward Island

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**MC03-02
PRINCE EDWARD ISLAND
MARKETING COUNCIL**

ORDER NO.: MC03-02
EFFECTIVE: August 6, 2003

Under the *Natural Products Marketing Act*, R.S.P.E.I., Cap. N-3, the Prince Edward Island Marketing Council makes the following Order:

CLASS 1 MILK PRICE DETERMINATION ORDER - AMENDMENT

1. Section 6 of the Class 1 Milk Price Determination Order (MC03-01) dated January 15, 2003, is hereby amended by the addition of the following:
 6. Chocolate Partly Skimmed Milk Per 4 litre container - Wholesale \$5.73 and Home Delivery \$6.10.
2. This Order comes into force on the 6th day of August, 2003.

Dated at Charlottetown, Prince Edward Island, this 6th day of August, 2003.

Kenneth MacLellan
Chairman

Murray Myles
Secretary

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**NOTICE OF CHANGE
OF CORPORATE NAME**

Companies Act
R.S.P.E.I. 1988, CAP. C-14, S. 81.1

Public Notice is hereby given that under the Companies Act the following corporation has changed its corporate name:

Former Name M & M CARPENTRY LTD.
New Name WATERVIEW CARPENTRY LTD.
Effective Date: August 14, 2003

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**NOTICE OF
GRANTING LETTERS PATENT**

Companies Act
R.S.P.E.I. 1988, Cap. C-14, s.11,

Public Notice is hereby given that under the Companies Act Letters Patent have been issued by the Minister to the following:

Name: 100461 P.E.I. INC.
10 Shaws Lane
RR 5
Montague, PE C0A 1R0
Incorporation Date: August 14, 2003

Name: AFTERMATH TELEVISION
PRODUCTIONS CYCLE 4 (P.E.I.)
INC.
RR 4
North Wiltshire, PE C0A 1Y0
Incorporation Date: August 14, 2003

Name: I LAND DEVELOPMENT INC.
175 Creek Road
RR 2
Morell, PE C0A 1S0
Incorporation Date: August 11, 2003

Name: RED ROCK DEVELOPMENT LTD.
P.O. Box 734
89 Victoria Street
Kensington, PE C0B 1M0
Incorporation Date: August 13, 2003

NOTICE OF REGISTRATION

Partnership Act
R.S.P.E.I. 1988, Cap. P-1, s.52 and s.54(1)

Public Notice is hereby given that the following Declarations have been filed under the Partnership Act:

Name: CRITTERS PET SHOP
Owner: YOUNG'S GROCERY LTD.
106 Greensview Drive
Stratford, PE C1B 1N2
Registration Date: August 08, 2003

Name: CARGILL CROP NUTRITION
Owner: CARGILL LIMITED -
CARGILL LIMITEE
300 - 240 Graham Avenue
Winnipeg, MB R3C 0J7
Registration Date: August 11, 2003

Name: CONFEDERATION GMAC
REAL ESTATE
Owner: CONFEDERATION REALTY
& ASSOCIATES INC.
52 Trans Canada Highway
Cornwall, PE C0A 1H0
Registration Date: August 14, 2003

Name: NETWORK ENHANCED HUMAN
INTERACTION (NEHI)
Owner: 6020143 CANADA INC.
171 Bayview Drive
Ottawa, ON K0A 3M0
Registration Date: August 12, 2003

Name: BIG ROCK CONSTRUCTION
Owner: Darryl Buote
RR 1
Hunter River, PE C0A 1N0
Registration Date: August 13, 2003

Name: HI-LITE FITNESS
Owner: Kate Flanagan
Confederation Street
Charlottetown, PE C1A 5V5
Registration Date: August 06, 2003

Name: LINDA'S LOVABLE PETS
Owner: Linda M. Warford
6 Briggs Street
Summerside, PE C1N 5Z4
Registration Date: August 12, 2003

Name: LORNE VALLEY RANCH
 Owner: William L. Crolley
 1299 Lorne Valley Road
 RR 3
 Cardigan, PE C0A 1G0
 William L. Crolley, II
 1299 Lorne Valley Road
 RR 3
 Cardigan, PE C0A 1G0
 Registration Date: August 08, 2003

Name: PEI CAVIAR INTERNATIONAL
 Owner: 6114962 Canada Inc.
 Box 730
 Montague, PE C0A 1R0
 Registration Date: August 11, 2003

Name: PHOENIX BUILDERS
 Owner: Billy Noonan
 28 Linkletter Estates
 Summerside, PE C1N 4B2
 Registration Date: August 04, 2003

Name: THE HEALTH INSTITUTE OF
 PRINCE EDWARD ISLAND
 Owner: Alana Florence McGrath
 Box 145
 Morell, PE C0A 1S0
 Katherine Maria MacAdam
 22 Bayberry Lane
 Morell, PE C0A 1S0
 Registration Date: August 12, 2003

Name: WALSH'S DRIVING SCHOOL
 Owner: Louis Walsh
 RR 5
 Mt. Stewart, PE C0A 1T0
 Registration Date: August 13, 2003

Name: WEB-MAX
 Owner: Hill and Associates Inc.
 238 Pownal Street
 Charlottetown, PE C1A 3X1
 Simon Moss
 8 Conndine Crescent
 Charlottetown, PE C1A 7J7
 Registration Date: August 12, 2003

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NOTICE

PUBLIC NOTICE is hereby given that under the provisions of the Co-operative Associations Act, a Certificate of Incorporation bearing date the 13th day of August, 2003, has been granted to **RESCUE MISSION/MISSION TERRE CANADA COOPERATIVE LIMITED**, with head office at Charlottetown, Prince Edward Island.

DATED at Charlottetown this **13th** day of **August, 2003**.

Edison Shea, C.A.
 Registrar

33

NOTICE UNDER THE QUIETING TITLES ACT

TAKE NOTICE that **Westech Agriculture Ltd.**, a corporate body duly incorporated under the laws of Prince Edward Island, claims to be the absolute owner in fee simple of the lands hereinafter described.

AND TAKE NOTICE that an Application has been made in the Supreme Court of Prince Edward Island on behalf of the said Westech Agriculture Ltd., to have the title judicially investigated and the validity thereof ascertained and declared to the lands and premises described as follows:

ALL that tract, piece and parcel of land situate, lying and being at or near Church Street, Alberton, Lot or Township No. 4, Prince County, Prince Edward Island, Property Tax Identification # 778571, bounded and described as follows, that is to say:

FIRST PARCEL

BOUNDED on the north by lands formerly of Mrs. H. Champion now Abram Jeffrey Estate and the Anglican Church property;

ON the south by lands of Herbert Clark or the continuation thereof;

ON the east or northeast by Lake Gully;

ON the west by the rear line of lots fronting on the Rink Road containing by estimation one hundred (100) acres of land more or less.

SECOND PARCEL

BOUNDED on the north by parcel one above described;

ON the south by Oulton or Profitt Road;

ON the east by Gordon's Creek and;

On the west by lands of Russell Oulton, Mrs. Wilson and Heber Clark containing by estimation thirty four (34) acres of land a little more or less.

EXCEPTING THEREOUT AND THEREFROM all that portion of land situate, lying and being north of the Road leading from Alberton to Kildare.

Any person claiming adverse title or interest in the said land is to file notice of the same with the Supreme Court in the Law Courts Building, 108 Central Street, Summerside, Prince County, aforesaid on or before the 25th day of September, A.D. 2003.

AND FURTHER TAKE NOTICE that if no claim to the said lands adverse to that of Westech Agriculture Ltd. is filed on or before the 24th day of September, A.D. 2003, a Certificate that Westech Agriculture Ltd. is the legal and beneficial owner in fee simple of the lands may be granted pursuant to the provisions of the Quieting of Titles Act, R.S.P.E.I. 1974, Cap. Q-2.

DATED at Summerside, Prince County, Province of Prince Edward Island, this 19th day of August, A.D. 2003.

**DEREK D. KEY, Q.C. and
BOBBI-JO DOW**

Key, McKnight & Maynard
Solicitors for Petitioner,
Westech Agriculture Ltd.
Whose address for service is:
P.O. Box, 494 Granville Street
Summerside, PE
C1N 4K4

NOTICE**MARRIAGE ACT**

Prince Edward Island

[Subsection 8(1) of the Act]

Notice is hereby published that, under the authority of the *Marriage Act*, the following clergy has been **temporarily registered from August 30, 2003 to September 12, 2003** for the purpose of solemnizing marriage in the province of Prince Edward Island:

Mr. Merle Zimmerman

223 Kent Street
Charlottetown, PE C1A 7K2

T.A. Johnston

Director of Vital Statistics

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NOTICE**MARRIAGE ACT**

Prince Edward Island

[Subsection 8(1) of the Act]

Notice is hereby published that, under the authority of the *Marriage Act*, the following clergy has been **temporarily registered from September 01, 2003 to September 30, 2003** for the purpose of solemnizing marriage in the province of Prince Edward Island:

Rev. V R Blair Holden

117 Audrey Road
Riverview, NB E1B 1P6

T.A. Johnston

Director of Vital Statistics

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NOTICE**MARRIAGE ACT**

Prince Edward Island

[Subsection 8(1) of the Act]

Notice is hereby published that, under the authority of the *Marriage Act*, the following clergy has been **temporarily registered from September 01, 2003 to September 30, 2003** for the purpose of solemnizing marriage in the province of Prince Edward Island:

Mr. David Hierlihy Hebron

RR#1
Coleman PE C0B 1H0

T.A. Johnston

Director of Vital Statistics

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REGULATIONS

EC2003-427

ENVIRONMENTAL PROTECTION ACT
SEWAGE DISPOSAL SYSTEMS REGULATIONS
AMENDMENT

(Approved by His Honour the Lieutenant Governor in Council dated 12 August 2003.)

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* Sewage Disposal Systems Regulations (EC403/03) is amended

(a) by the revocation of clause (c) and the substitution of the following:

(c) “authority having jurisdiction” means the Department of Fisheries, Aquaculture and Environment; authority having jurisdiction

(b) by the addition of the following after clause (g):

(g.1) “cafeteria” means a restaurant in which food is displayed on counters and patrons serve themselves; cafeteria

(c) by the revocation of clause (m) and the substitution of the following:

(m) “contractor’s licence” means a licence issued under section 3; contractor’s licence

(d) by the addition of the following after clause (u):

(u.1) “effluent line” means a pipe that transports effluent from a septic tank to a disposal field; effluent line

(u.2) “existing parcel” means any parcel in existence prior to June 12, 1993; existing parcel

(e) by the addition of the following after clause (x):

(x.1) “grease interceptor tank” means a tank installed in front of the septic tank to remove grease, oil and fats from sewage; grease interceptor tank

(f) by the addition of the following after clause (bb):

(bb.1) “licensed contractor” means a contractor who holds a contractor’s licence; licensed contractor

licensed pumper	(bb.2) “licensed pumper” means a person who holds a pumper’s licence;
licensed site assessor	(bb.3) “licensed site assessor” means a person who holds a site assessor’s licence;
	(g) by the revocation of clause (ll);
	(h) by the addition of the following after clause (mm):
pumper’s licence	(mm.1) “pumper’s licence” means a licence issued under subsection 22(2);
	(i) by the addition of the following after clause (nn):
restaurant	(nn.1) “restaurant” means a place where meals can be bought and eaten and includes a cafeteria and an institutional kitchen;
	(j) by the revocation of clause (oo) and the substitution of the following:
septage	(oo) “septage” means all settled solids, scum, liquid or other material removed from a septic tank or disposal field;
	(k) by the addition of the following after clause (ss):
sewer line	(ss.1) “sewer line” means a pipe that transports sewage from a building to a septic tank or a sewer collection main;
site assessor’s licence	(ss.2) “site assessor’s licence” means a licence issued under section 17.1;
	(l) by the revocation of clause (uu) and the substitution of the following:
sludge	(uu) “sludge” means the semi-liquid material that is removed from a wastewater treatment system as an end product of the treatment process;
	(m) by the revocation of clause (vv) and the substitution of the following:
standard disposal field	(vv) “standard disposal field” means (i) a multiple trench or alternative multiple trench disposal field, or (ii) another type of disposal field permitted under section 21, but does not include a contour trench or leaching chamber disposal field (see Appendix A, Figure A.1);

2. (1) The regulations are amended by the addition of the following after section 1:

1.1 For the purposes of these regulations, a Category I, II or III lot is a property that has been assessed as such in a site suitability assessment completed in accordance with section 17. Categories of property

(2) Subsection 2(1) is amended by the addition of the words “installation,” before the word “construction”.

3. Section 3 of the regulations is amended

(a) by the addition of the following heading before section 3:

LICENCES AND PERMITS

(b) by the revocation of subsection (2) and by the substitution of the following:

(2) No licensed contractor shall permit a sewage disposal system to be installed, constructed, reconstructed or modified unless the licensed contractor, or a registered installer in the employ of the licensed contractor, is present on the job site during the installation, construction, reconstruction or modification. Site supervision

(c) in subsection (3), by the deletion of the words “such contractor shall be fully responsible for ensuring compliance with all applicable provisions of” and the substitution of the words “the licensed contractor shall ensure that the work is carried out in compliance with the standards and requirements prescribed in”;

(d) by the revocation of subsection (6);

(e) in subsection (7), by the addition of the words “and for a period not exceeding three years” after the words “all of whom shall hold office at the Minister’s discretion”;

(f) in subsection (9), by the deletion of the words “shall be” and the substitution of the word “is”; and

(g) in subsection (12), by the deletion of the word “revoke” and the substitution of the word “suspend”.

4. Subsection 4(3) of the regulations is amended by the deletion of the words “designed, located and installed in accordance with these regulations” and the substitution of the words “designed, located, installed, constructed, reconstructed or modified in accordance with the standards and requirements prescribed in these regulations”.

5. (1) The following heading is added before section 5:

FEES

(2) Subsection 5(1) of the regulations is revoked and the following substituted:

Fees

- 5. (1)** The fees payable for an application are as follows:
- (a) for an application by a contractor for a sewage disposal system permit..... \$60.00
 - (b) for an application by a dwelling owner for a sewage disposal system permit..... \$80.00
 - (c) for an application for a site suitability assessment per lot..... \$50.00
 - (d) for an application for, or renewal of a pumper's licence..... \$200.00
 - (e) for an application for, or renewal of, a contractor's licence..... \$200.00
 - (f) for an application for, or renewal of, a qualified site assessor's licence..... \$200.00
 - (g) for an application to be registered as a registered installer, or to renew a registration as a registered installer..... \$20.00

6. (1) The following heading is added before section 6:

CERTIFICATE OF COMPLIANCE

(2) Section 6 of the regulations is amended by the deletion of the words "30 days" and the substitution of the words "60 days".

7. The following heading is added before section 7:

ORDER TO UNCOVER SYSTEM

8. (1) The following heading is added before section 8:

LOCATION — RESTRICTIONS

(2) Subsection 8(1) of the regulations is amended by the deletion of the words "No portion of a sewage disposal system shall be constructed" and the substitution of the words "No contractor, registered installer or dwelling owner shall install or construct a sewage disposal system, or cause the same to be done,".

9. The following is added after section 8:

SEPTIC TANKS

8.1 Section 9, Table A of Appendix A, and Appendix E prescribe the standards and requirements for Standards and requirements

- (a) septic tanks used in the installation, construction, reconstruction or modification of sewage disposal systems; and
- (b) the sewer lines, effluent lines and grease interceptor tanks connected to such septic tanks.

10. In the following provisions of the regulations, the words “source of potable water” are deleted and the word “well” is substituted:

- (a) clause 9(1)(a);
- (b) clause 10(2)(a);
- (c) clause 10(3)(b);
- (d) clause 10(4)(b);
- (e) clause 11(1)(j);
- (f) subsection 11(4); and
- (g) section 18.

11. (1) Subsection 9(2) of the regulations is revoked and the following substituted:

- (2) A sewer line shall Sewer line
- (a) be constructed of sewer pipe that is straight, non-perforated, rigid, smooth bore, watertight, certified and of an SDR (or equivalent) grade;
 - (b) have sealed joints;
 - (c) be located a minimum of 3.0 m (10 ft) from any well;
 - (d) have certified, long-sweep fittings for changes in direction; and
 - (e) be located no closer than 450 mm (18 in) from a water line.

(2) Subsection 9(3) of the regulations is amended by the deletion of the words “a minimum fall of 1.0 to 2.0 cm/m (1/8 to 1/4 in/ft) in the building sewer” and the substitution of the words “a minimum slope of two percent in the sewer line from the building to the tank”.

(3) Section 9 of the regulations is amended by the addition of the following after subsection (3):

(3.1) An effluent line from a septic tank to a disposal field shall have a minimum slope of one percent. Effluent line

(4) Subsection 9(5) of the regulations is revoked and the following substituted:

- Risers (5) A single-compartment septic tank shall have a riser section that
- (a) is installed over the outlet opening in the top of the septic tank;
 - (b) has a watertight seal where it joins the tank;
 - (c) raises the outlet opening sufficiently to prevent flooding by surface water; and
 - (d) is equipped with a tamper-resistant lid labelled “DANGER—DO NOT ENTER”.
- Idem* (5.1) Each compartment of a multiple-compartment septic tank shall have a riser section that is installed and equipped in accordance with the requirements of clauses (5)(a) to (d).
- Installation of prefabricated septic tanks (5.2) Every prefabricated septic tank shall be installed in accordance with the manufacturer’s recommendations.
- (5) Subsection 9(10) of the regulations is amended**
- (a) by the deletion of the words “all single family” and the substitution of the words “a dwelling unit”; and**
 - (b) by the addition of the words “of Appendix A” after the words “Table A”.**
- (6) Subsection 9(11) of the regulations is amended**
- (a) in the words before clause (a), by the addition of the words “of Appendix A” after the words “Table A”;**
 - (b) in clause (a), by the deletion of the words “1.5 times the flow” and the substitution of the words “two times the flow”; and**
 - (c) in clause (b), by the deletion of the words “3/4 Q” wherever they occur and the substitution of the words “Q”.**
- (7) Subsection 9(12) of the regulations is amended by the deletion of the words “2040 litres (450 imperial gallons)” and the substitution of the words “2725 litres (600 imperial gallons)”.**
- (8) Section 9 of the regulations is amended by the addition of the following after subsection (13):**
- Septic tank effluent filter (14) A septic tank serving a restaurant shall be fitted with an effluent filter that is installed in accordance with the manufacturer’s recommendations.
- Grease interceptor tank (15) A grease interceptor tank shall be installed in front of a septic tank serving a restaurant.
- Idem* (16) A grease interceptor tank installed in accordance with subsection (15) shall
- (a) be watertight;

- (b) be constructed of
 - (i) precast concrete and shall conform with the standards for prefabricated concrete septic tanks required by subsection 9(6),
 - (ii) polyethylene and shall be certified as being in accordance with the latest CSA Standard for prefabricated septic tanks, or
 - (iii) any other material, other than steel, that is not subject to corrosion or decay, and which is approved by the authority having jurisdiction;
- (c) have a minimum capacity of 2725 litres (600 imperial gallons);
- (d) be connected only to a dishwasher or to a kitchen sink that does not have a garbage grinder; and
- (e) be located not less than 1.5m (5 ft) from the building containing the dishwasher or kitchen sink to which the tank is connected.

(17) The capacity of a grease interceptor tank shall be calculated, for the purposes of clause (16)(c), in accordance with the equation set out in Appendix E. *Idem*

9.1 (1) For the purposes of this section, a septic tank is abandoned if it is disconnected from a source of sewage on a parcel served by the septic tank. Abandoned septic tank

(2) The owner of a parcel served by a septic tank shall ensure that the septic tank is decommissioned, in accordance with this section, by a licensed contractor within 10 days after the septic tank is abandoned. Decommissioning abandoned septic tank

- (3) A licensed contractor shall decommission an abandoned septic tank
 - (a) by removing the contents of the tank, disinfecting the tank and filling the tank with clean soil fill; or
 - (b) by removing the tank, disinfecting the resulting excavation and filling the excavation with clean soil fill.Abandoned septic tank

(4) Where a licensed contractor decommissions an abandoned septic tank, the licensed contractor shall notify the authority having jurisdiction of the decommissioning. Notice

12. Table A of the regulations, following section 9, is revoked and the following substituted:

SEWAGE PUMPING STATIONS AND SIPHON CHAMBERS

9.2 Section 10 prescribes the standards and requirements for

- (a) sewage pumping stations and siphon chambers used in the installation, construction, reconstruction or modification of sewage disposal systems; and
- (b) the sewer lines connected to such pumping stations and siphon chambers.

Standards and requirements

13. (1) Subsection 10(5) of the regulations is amended

- (a) by the deletion of the word “and” after clause (c);

(b) by the deletion of the period after clause (d) and the substitution of a semicolon; and

(c) by the addition of the following after clause (d):

(e) shall be wired in compliance with section 18 of the Canadian Electrical Code.

(2) Clause 10(6)(d) of the regulations is amended by the addition of the words “or without requiring service personnel to enter the lift station” after the words “without having to completely dewater the pumping station”.

14. (1) The following is added after section 10:

DISPOSAL FIELDS

Standards and requirements

10.1 Sections 11 to 15 prescribe the standards and requirements for disposal fields used in the installation, construction, reconstruction or modification of sewage disposal systems.

(2) Clause 11(1)(a) of the regulations is amended by the deletion of the words “1.2 m (4 ft)” and the substitution of the words “0.6 m (2 ft)”.

(3) Subsection 11(2) of the regulations is revoked and the following substituted:

Installation of disposal field

(2) A disposal field shall be installed

(a) approximately parallel to the ground contour to spread the effluent across a longer slope interface; and

(b) with a minimum depth of 0.3 m (12 in) of permeable soil below the bottom of any trench of the disposal field.

15. (1) Subsection 12(6) of the regulations is amended

(a) by the deletion of the semicolon after clause (e) and the substitution of a period; and

(b) by the deletion of the words “a minimum cover of 30 cm (12 in) of soil shall be placed over the barrier material.”.

(2) Section 12 of the regulations is amended by the addition of the following after subsection (7):

Idem

(7.1) Barrier material shall be covered with between 0.3 m (12 in) and 0.4 m (15 in) of soil.

(3) Subsection 12(9) of the regulations is revoked and the following substituted:

(9) Unless otherwise approved by the authority having jurisdiction, the bottom of standard disposal field trenches shall be

Trenches

- (a) level and of equal elevation; and
- (b) not less than 45 cm (18 in) in width.

(4) Subsection 12(10) of the regulations is amended by the addition of the words “on Category I or Category II lots” after the words “family dwellings”.

(5) Section 12 of the regulations is amended by the addition of the following after subsection (10):

(10.1) The sewage disposal system installed on a lot with a water table between 0.6 m (2 ft) and 1.2 m (4 ft) below the soil surface shall be designed by a qualified engineer.

Designed systems
for Category III
properties

(6) Subsection 12(11) of the regulations is amended by the deletion of the words “2040 litres (450 imperial gallons)” and the substitution of the words “2725 litres (600 imperial gallons)”.

16. (1) Subsection 14(7) of the regulations is amended

(a) by the revocation of clause (a) and the substitution of the following:

- (a) the leaching chamber disposal field shall be installed
 - (i) approximately parallel to the ground contour,
 - (ii) with lines of chambers of equal length, and
 - (iii) with a minimum depth of 0.3 m (12 in) of permeable soil below the bottom of any trench of the disposal field;

(b) in clause (d), by the deletion of the words “a minimum of 0.3m (12 in)” and the substitution of the words “between 0.3 m (12 in) and 0.4 m (15 in)”.

(2) Subsection 14(9) of the regulations is amended

(a) by the deletion of the word “and” after clause (a);

(b) by the deletion of the period after clause (b) and the substitution of the words “; and”;

(c) by the addition of the following after clause (b):

- (c) subject to subsection (13), the minimum distance between the walls of adjacent trenches shall be 0.9 m (3 ft);
- (d) the minimum depth of permeable soil below the bottom of any trench shall be 0.3 m (12 in);
- (e) the lines of chambers shall be of equal length unless otherwise approved by the authority having jurisdiction; and
- (f) the slope across the disposal field area shall not be less than five percent.

(3) Section 14 of the regulations is amended by the addition of the following after subsection (12):

Minimum distances

(13) When a leaching chamber disposal field is installed on a Category II lot, the minimum distance between the walls of adjacent trenches shall be 2.1 m (7 ft).

17. Subsection 15(7) of the regulations is amended

(a) by the deletion of the word “The” and the substitution of the word “A”;

(b) by the deletion of the word “standard” and the substitution of the word “standards”;

(c) by the addition of the following after clause (a):

(a.1) the minimum depth of permeable soil below the bottom of any trench shall be 0.3 m (12 in);

(d) by the revocation of clause (i) and the substitution of the following:

(i) the barrier material shall be covered with between 0.3 m (12 in) and 0.4 m (15 in) of soil, as measured directly over the distribution pipe.

18. (1) The following heading is added after section 15:

SEWAGE HOLDING TANKS

(2) Subsection 16(1) of the regulations is revoked and the following substituted:

Sewage holding tank

16. (1) No licensed contractor shall install or construct a sewage holding tank on an existing parcel, or cause it to be installed or constructed on such a parcel, without the approval of the authority having jurisdiction.

Permission to install

(1.1) The authority having jurisdiction shall, on application, approve the installation or construction of a sewage holding tank on an existing parcel if

(a) a source of sewage presently exists on the parcel and, in the opinion of the authority having jurisdiction, no practical alternative disposal system can be installed; or

(b) the sewage holding tank is to be installed or constructed for commercial use and, in the opinion of the authority having jurisdiction, no practical alternative sewage disposal system can be installed or constructed.

Restriction

(1.2) No licensed contractor shall install or construct a sewage holding tank, or cause it to be installed or constructed, unless the tank as installed or constructed complies with the requirements of this section.

(3) Subsection 16(3) is revoked and the following substituted:

(3) Notwithstanding subsection (2), a sewage holding tank installed or constructed for a dwelling unit shall

Requirements for dwelling unit

- (a) have a liquid holding capacity of not less than 4500 litres (1000 gallons);
- (b) have a high liquid level alarm probe positioned at the 3/4 mark of the tank and which shall be connected to an alarm system in the dwelling unit that may easily be heard or monitored;
- (c) be readily accessible to a pumping vehicle; and
- (d) have a watertight pump out connection which does not allow the unauthorized discharge of sewage.

(4) Section 16 of the regulations is amended by the addition of the following after subsection (3):

(4) Notwithstanding subsection (2), a sewage holding tank installed or constructed to service a commercial establishment shall

Requirements for commercial use

- (a) have a liquid holding capacity of not less than two days' storage and not less than 6800 litres (1500 gallons);
- (b) have a high liquid level alarm (audiovisual)
 - (i) that is positioned at the 3/4 mark of the tank, and
 - (ii) connected to an alarm system in the commercial establishment that may easily be heard or monitored;
- (c) be readily accessible to a pumping vehicle; and
- (d) have a watertight pump out connection which will not allow unauthorized discharge of sewage.

19. (1) The following heading is added after section 16:

SITE SUITABILITY ASSESSMENTS

(2) Section 17 of the regulations is amended

- (a) by renumbering it as subsection 17(1);
- (b) by the deletion of the word "property" in subsection 17(1) and the substitution of the word "lot"; and
- (c) by the addition of the following:

(2) A site suitability assessment of a lot must assess the lot as one of the lot categories established under section 23 of the *Planning Act* Subdivision and Development Regulations in accordance with the standards specified in that section.

Categories of lot

(2) The regulations are amended by the addition of the following after section 17:

Site assessor's licence Exceptions	<p>17.1 (1) Subject to subsection (2), no person shall perform a site suitability assessment without first obtaining a site assessor's licence.</p> <p>(2) A person may perform a site suitability assessment without a site assessor's licence if the person is a professional engineer, as defined under the <i>Engineering Profession Act</i>.</p>
Application for site assessor's licence	<p>(3) An application for a site assessor's licence shall be</p> <p>(a) made to the authority having jurisdiction in a form approved by the authority having jurisdiction; and</p> <p>(b) submitted together with the fee prescribed in subsection 5(1).</p>
Qualifications	<p>(4) The Minister shall, on application, grant a site assessor's licence to an applicant if</p> <p>(a) the application is made in accordance with subsection (3); and</p> <p>(b) the applicant has</p> <p>(i) at least two years of post secondary education in a related field of study, and</p> <p>(ii) either</p> <p>(A) has successfully completed a course of instruction established or adopted by the Board of Examiners, or</p> <p>(B) holds a licence issued by another province or territory that the Minister considers to be equivalent to a site assessor's licence.</p>
Licence not transferable	<p>(5) A site assessor's licence is not transferable.</p>
Expiry	<p>(6) A site assessor's licence expires on the date indicated on the licence, which may not be more than 24 months from the date of issuance.</p>
Suspension	<p>(7) The Minister may suspend a site assessor's licence for such period as the Minister considers appropriate if the Minister is satisfied that the licence holder has engaged in conduct for which a contractor's licence may be suspended under subsection 3(12).</p>

MISCELLANEOUS

20. Section 19 of the regulations is amended by the deletion of the words "Sewage disposal systems shall be maintained" and the substitution of the words "The owner of a sewage disposal system shall ensure that the system is maintained".

21. (1) Subsections 22(1) and (2) of the regulations are revoked and the following substituted:

Sewage disposal system cleaning	<p>22. (1) No person shall engage in the cleaning of a sewage disposal system or a wastewater treatment system, or in the land spreading of septage or sludge, unless the person</p> <p>(a) first obtains a pumper's licence from the Minister; and</p>
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(b) complies with the provisions of these regulations.

(2) The Minister shall, on an application for the issuance or renewal of a pumper's licence referred to in subsection (1), issue or renew the licence if the application

Pumper's licence

- (a) is made in a form acceptable to the Minister; and
- (b) is accompanied by the prescribed fee.

(2) Subsection 22(3) of the regulations is amended

(a) in that portion before clause (a), by the addition of a colon after the words “the following conditions”;

(b) by the addition of the following after clause (b):

(b.1) septage or sludge shall be spread on the land using a diffuser plate or other equipment acceptable to the authority having jurisdiction;

(c) by the deletion of the words “septage and sludge” wherever they occur and the substitution of the words “septage or sludge”.

(3) Section 22 of the regulations is amended by the addition of the following after subsection (3):

(3.1) No person shall place septage or sludge in any holding site without the prior approval of the authority having jurisdiction.

Holding of septage or sludge

(4) Subsection 22(4) of the regulations is amended by the deletion of the words “septage and sludge” and the substitution of the words “septage or sludge”.

(5) Subsection 22(6) of the regulations is revoked.

22. Section 23 of the regulations is revoked and the following substituted:

23. No person shall dispose of unstabilized sewage at any place other than a waste treatment system.

Disposal at waste treatment system

23. The regulations are amended in Appendix A

(a) by the addition of Table A, as set out in Schedule I of these regulations, immediately before Table A.1; and

(b) in Table A.1, by

- (i) the addition of the word “Lot” after the words “Category I” and “Category II”, and**
- (ii) the deletion of the words “As defined in the *Planning Act* Regulations”.**

24. The regulations are amended by the addition of Appendix E, as set out in Schedule II of these regulations, after Appendix D.

25. These regulations come into force on January 1, 2004.

SCHEDULE I

**TABLE A
STANDARD SEPTIC TANK CAPACITY**

Number of bedrooms in dwelling unit	Minimum liquid capacity of septic tank	
	(litres)	(imperial gallons)
2 or less	2725	600
3	2725	600
4	3400	750
5	4090	900
6	4540	1000
7	5000	1100

SCHEDULE II

APPENDIX E

For a restaurant other than a cafeteria:

$$V_{\text{grease}} = D * (HR/2) * GL * ST * LF$$

Where:

- D** = Number of seats in dining room
- HR** = Number of hours open per day
- GL** = Gallons of wastewater per meal (2 or more)
- ST** = Storage capacity (normally 2)
- LF** = Loading factor depending on restaurant location
 - 1.25 - central locations
 - 1.0 - recreational areas
 - 0.5 to 0.8 - other locations

For a cafeteria:

$$V_{\text{grease}} = M * GL * ST * LF$$

Where:

- M** = Total number of meals served per day
- GL** = Gallons of wastewater per meal (2 or more)
- ST** = Storage Capacity (normally 2)
- LF** = Loading factor
 - 1.0 with dishwasher
 - 0.5 without dishwasher

EXPLANATORY NOTES

SECTION 1 amends the definitions in the regulations.

SECTION 2 clarifies the meaning of references to categories of lots.

SECTION 3 clarifies the obligations of a licensed contractor, removes a provision respecting the waiver of examinations, and states that the members of Board of Examiners hold office for a period not exceeding three years.

SECTION 4 requires compliance by contractors, installers and dwelling owners with the requirements and standards prescribed by the regulations.

SECTION 5 amends the fees payable for applications for licences and permits.

SECTION 6 adds a heading and extends the time period for a licensed contractor to supply a certificate of compliance.

SECTION 7 adds a heading.

SECTION 8 adds a heading and clarifies who is not to construct a sewage disposal system near a beach.

SECTIONS 9 to 11 make amendments to the provisions respecting septic tanks and sewer lines.

SECTIONS 12 and 13 make amendments to the provisions respecting sewage pumping stations and siphon chambers.

SECTIONS 14 to 17 make amendments to the provisions respecting disposal fields.

SECTION 18 makes amendments to the provisions respecting sewage holding tanks.

SECTION 19 makes amendments to the provisions respecting site suitability assessments.

SECTIONS 20 to 22 clarify who has the duty to maintain a sewage disposal system and the requirements, such as obtaining a licence, for cleaning one. These sections also prohibit placing septage or sludge in a holding site without approval, and disposing of unstabilized sludge at any place other than a waste treatment system.

SECTION 23 makes minor corrections to Appendix A of the regulations.

SECTION 24 adds Appendix E respecting the methods for calculating the capacity of grease interceptor tanks.

SECTION 25 provides for the commencement of these regulations.

Certified a true copy,

Lynn E. Ellsworth
Clerk of the Executive Council

EC2003-429

**FINANCIAL ADMINISTRATION ACT
FINANCIAL ASSISTANCE ENFORCEMENT REGULATIONS**

(Approved by His Honour the Lieutenant Governor in Council dated 12 August 2003.)

Pursuant to section 79 of the *Financial Administration Act*, R.S.P.E.I. 1988, Cap. F-9, Council made the following regulations:

- 1. The licenses and permits prescribed for the purposes of clauses 4.1(1)(d) and 4.2(1)(e) of the Act are set out in the Schedule to these regulations.**
- 2. These regulations come into force on August 23, 2003.**

SCHEDULE

Prescribed Licenses and Permits

Issuing Department/ Agency	License/ Permit/ Certificate	Description of License/Permit	Enabling Act/Regulations
Agriculture and Forestry	License	License to operate a companion animal establishment (pet store).	<i>Companion Animal Protection Act</i> Section 10.2
Agriculture and Forestry	License	License to process, grade, transport or distribute milk products.	<i>Dairy Industry Act Regulations</i> Section 2

Community and Cultural Affairs	Plant License	License for a person, firm or corporation storing or distributing gas, installing or servicing gas systems or equipment or operating a propane dispenser unit for filling portable cylinders.	<i>Boiler and Pressure Vessels Act</i> Regulations Section 9.09
Community and Cultural Affairs	Electrical Contractors License	License for a contractor to contract or engage for the work of installing, extending, changing or repairing of electrical installations.	<i>Electrical Inspection Act</i> Regulations Section 5
Community and Cultural Affairs	Electrical Permit	Permit for contractor to install, repair or change an electrical installation.	<i>Electrical Inspection Act</i> Regulations Section 17
Community and Cultural Affairs	Plant License	License for a heating plant, refrigeration plant and power plants - First to Fourth Class Plants and Refrigeration Class "A" and "B".	<i>Powers Engineer Act</i> Section 6
Education	Certificate of Registration and Annual Renewal of Certificate of Registration	Certificate or renewal of registration for owner or operator of a private training school.	<i>Private Training Schools Act</i> Section 4
Education	Licensing of Private Schools (Elementary or Secondary)	License for a private school that provides elementary or secondary school programs.	<i>School Act</i> Section 133
Fisheries, Aquaculture and Environment	Waste Resource Management Permit	Permit to build and operate a waste resource management facility.	<i>Environmental Protection Act</i> Waste Resource Management Regulations Sections 2 & 65
Fisheries, Aquaculture and Environment	Primary Processing License	License for operator of a processing establishment engaged in primary processing.	<i>Fisheries Act</i> Regulations Sections 3 & 4
Fisheries, Aquaculture and Environment	Secondary Processing License	License for operator of a processing establishment engaged in secondary processing.	<i>Fisheries Act</i> Regulations Sections 3 & 4

Fisheries, Aquaculture and Environment	License	License to operate a business offering the sale, use or application of pesticides.	<i>Pesticides Control Act Regulations</i> Sections 6 & 10
Health and Social Services	License	License issued to operate a child care facility.	<i>Child Care Facilities Act</i> Section 12
Health and Social Services	License	License to operate a community care facility or nursing home.	<i>Community Care Facilities and Nursing Homes Act</i> Section 9
Health and Social Services	License	License to practise as a pharmacist.	<i>Pharmacy Act</i> Section 9
Health and Social Services	License	License to operate a slaughterhouse for commercial purposes.	<i>Public Health Act</i> Section 10
Health and Social Services	Permit	Permit to operate an ambulance.	<i>Public Health Act</i> Section 29
Health and Social Services	Certificate	Certificate approving eating establishment or licensed premises.	<i>Public Health Act Eating Establishments and Licensed Premises Regulations</i> Section 41
Health and Social Services	License	License to operate a trailer court, camp ground or summer camp.	<i>Public Health Act Summer Trailer Court, Tenting and Camp Areas Regulations</i> Section 3
Health and Social Services	Permit	Permit to operate a swimming pool.	<i>Public Health Act Swimming Pool and Waterslide Regulations</i> Section 4
Provincial Treasury	Marked Gasoline/Diesel Oil Permit	Permit exempting farmers, fishers, aquaculturists and others to purchase gasoline/diesel oil tax exempt.	<i>Gasoline Tax Act Regulations</i> Section 15
Provincial Treasury	Manufacturer's License	License to tobacco manufacturers to sell tobacco products to wholesalers.	<i>Health Tax Act</i> Section 2

Provincial Treasury	Wholesaler Vendor's License	License to wholesalers to sell tobacco products to vendors.	<i>Health Tax Act</i> Section 2
Provincial Treasury	Retail Vendor's License	License to vendors to sell tobacco products to consumers.	<i>Health Tax Act</i> Section 2
Provincial Treasury	License	Annual license fee for entertainment devices.	<i>Revenue Tax Act</i> Section 5
Provincial Treasury	Revenue Tax Exemption Permit	Permit exempting farmers, fishers and aquaculturists to purchase specific items tax exempt.	<i>Revenue Tax Act</i> Section 12
Provincial Treasury	Vendor Registration Certificate	Certificate exempting a retail vendor to purchase goods for resale tax exempt.	<i>Revenue Tax Act</i> Section 14
Tourism Liquor Control Commission	Brew Pub License	License for the sale and manufacture of beer brewed on the premises to patrons of licensed premises.	<i>Liquor Control Act</i> Section 11
Tourism Liquor Control Commission	Caterer's License	License held by the holder of a Dining Room License authorizing the sale of alcohol at a location approved by the Commission.	<i>Liquor Control Act</i> Section 11
Tourism Liquor Control Commission	Club License	License for the sale of alcohol to club members and guests in licensed premises.	<i>Liquor Control Act</i> Section 11
Tourism Liquor Control Commission	Dining Room License	License for the sale of alcohol with food to the general public in restaurants.	<i>Liquor Control Act</i> Section 11
Tourism Liquor Control Commission	Lounge License	License for the sale of alcohol to the public in licensed premises.	<i>Liquor Control Act</i> Section 11
Tourism Liquor Control Commission	Military Canteen License	License for the sale of alcohol to members and guests in licensed premises.	<i>Liquor Control Act</i> Section 11
Tourism Liquor Control Commission	Special Premises License	License for the sale of alcohol to persons not disqualified by the Act and under conditions specified by the Commission.	<i>Liquor Control Act</i> Section 11

Tourism Liquor Control Commission	Tourist Home License	License for the sale of alcohol to registered guests of a Tourist Home for consumption on the premises.	<i>Liquor Control Act</i> Section 11
Tourism Liquor Control Commission	Winery, Brewers, Micro Brewery, Distiller's Licenses	Licenses for the manufacture of alcoholic beverages and the sale of alcoholic beverages as approved by the Commission.	<i>Liquor Control Act</i> Section 11
Tourism Liquor Control Commission	Class II Permits	Permit for the holder to purchase and have in possession alcohol and to sell alcohol for consumption at any event of a private nature held in premises specified in the permit to persons invited to attend.	<i>Liquor Control Act</i> Section 22

EXPLANATORY NOTES

SECTION 1 outlines the licenses and permits that are subject to the new provisions of the Act under which Treasury Board may direct a Minister or public officer to revoke a license or permit or to refuse to issue, grant or renew a license or permit to an applicant under an enactment unless the applicant has either repaid any outstanding loan or financial assistance provided to the applicant by Government, or has fulfilled any obligation under a guarantee to pay a debt or obligation owing to Government.

SECTION 2 provides for the commencement of these regulations.

Certified a true copy,

Lynn E. Ellsworth

Clerk of the Executive Council

EC2003-432

REVENUE TAX ACT REGULATIONS AMENDMENT

(Approved by His Honour the Lieutenant Governor in Council dated 12 August 2003.)

Pursuant to 57 of the *Revenue Tax Act* R.S.P.E.I. 1988 Cap. R-14, Council made the following regulations:

1. (1) Section 12 of the *Revenue Tax Act Regulations (EC262/60)* is amended by the addition of the following:

(9.1) The Minister may refund the tax paid by an aquaculturist in possession of a valid Revenue Tax Exemption Permit on the purchase of goods where

Aquaculture
equipment, refund

- (a) the goods purchased are of the following types:
 - (i) an all-terrain vehicle (4x4 with a minimum 400cc engine displacement),
 - (ii) a fork lift,
 - (iii) a front end loader,
 - (iv) a snowblower or snowplow for attachment to exempt equipment,
 - (v) a tractor (compact utility class or higher);
- (b) application is made in writing by the aquaculturist seeking the refund;
- (c) original invoices, receipts and other documentation verifying purchases by the aquaculturist are presented;
- (d) the goods were purchased within four years of the date of application; and
- (e) evidence is submitted, satisfactory to the Minister, that the goods purchased have been used exclusively in the practice of aquaculture and not in any other commercial operation.

(2) Section 12 of the regulations is amended by the addition of the following:

(9.01) The Minister may refund the tax paid by a farmer in possession of a valid Revenue Tax Exemption Permit on the purchase of goods where

Farm equipment
refund

- (a) the goods purchased are of the following types:
 - (i) an all-terrain vehicle (4x4 with a minimum 400cc engine displacement),
 - (ii) a snowblower or snowplow for attachment to tax exempt equipment;
- (b) application is made in writing by the farmer seeking the refund;
- (c) original invoices, receipts and other documentation verifying purchases by the farmer are presented;
- (d) the goods were purchased within four years of the date of application; and
- (e) evidence is submitted, satisfactory to the Minister, that the goods purchased have been used exclusively in a farming operation and not in any other commercial operation.

2. Section 25 of the regulations is revoked and the following substituted:

25. For the purpose of clause 12(1)(f) of the Act, “machinery and equipment including parts therefor” means the following goods when

Farm machinery
and equipment

purchased by a farmer for farm use and not for any other commercial operation:

-A-

alarm systems that monitor temperature and humidity levels, if used to prevent death or damage to livestock or crops
apiary equipment
artificial insemination equipment
auxiliary power generators
axes

-B-

bale elevators and loaders
bale shredders, grapples and spears
barn and stable cleaning equipment
bees
blacksmith tools
buckets and pails
bulk boxes specifically designed to haul farm products, fertilizer or pesticides and attached to farm wagons or trailers not registered for highway use or to a motor vehicle that is registered as a "farm truck" under the *Highway Traffic Act* Farm Truck Registration Regulations (EC356/74)

-C-

calcium chloride for farm tractor tires
carcass incinerators
chain saws and buck saws
chains for farm tractor tires
chemical application equipment, either self-propelled or for attachment to farm tractors
containers used to process, ship or deliver farm products, but not including containers mounted on trucks or trailers
crop handling equipment
crop harvesting equipment, either self-propelled or for attachment to farm tractors
crop nutrients
crop planting equipment, either self-propelled or for attachment to farm tractors
crop protectants

-D-

dump boxes, attached to farm wagons or trailers not registered for highway use or to a motor vehicle that is registered as a "farm truck" under the *Highway Traffic Act* Farm Truck Registration Regulations

-E-

egg handling and grading equipment

electric motors for use on farm machinery
electronic controls and GPS systems for farm machinery
equipment used to skin, flesh and preserve animal pelts
equipment used to ventilate, dry, humidify, refrigerate or aerate farm products

-F-

farm trailers not required to be registered under the *Highway Traffic Act*
farm wagons not required to be registered under the *Highway Traffic Act*
fencing equipment
fertilizer and lime application equipment, for attachment to farm tractors
flat beds attached to farm wagons or trailers not registered for highway use or to a motor vehicle that is registered as a “farm truck” under the *Highway Traffic Act* Farm Truck Registration Regulations
fork lifts, either self-propelled or for attachment to farm tractors
forks
fox tongs
front end loaders, either self-propelled or for attachment to farm tractors

-G-

grease
greenhouse glass cleaning equipment
greenhouse material handling equipment
greenhouse thermostats and humidistats
greenhouse watering systems

-H-

hay and forage crop harvesting equipment, either self-propelled or for attachment to farm tractors
heaters (salamanders)
heating systems for incubators or farrowing crates
hoes
horse harness and hardware
horseshoes
hydrometers

-I-

incubation equipment and supplies

-L-

livestock
labels for packaging of farm products for sale
ladders designed for fruit picking
land drainage tile

land irrigation systems
land tillage and cultivating equipment, for attachment to farm tractors
light bulbs
 Tough skin bulbs or Teflon coated bulbs
 HID Lamps
 HPS or LPS (high or low pressure sodium)
 MH (metal halide or multi vapor)
 MV (mercury vapor)
 Infrared heat lamps
 Plant grow lamps
lightning rods
livestock
livestock bedding materials
livestock feed and feed additives
livestock feeding equipment, systems and controls
livestock grooming and cleaning equipment
livestock handling equipment
livestock health maintenance and monitoring equipment
livestock identification equipment
livestock protective equipment
livestock watering equipment

-M-

manure handling equipment
manure spreaders
milking and milk storage equipment
mulch

-O-

oil

-P-

parts designed for any goods exempted in this section
plants
potting machine
prefabricated or portable storage bins
protective clothing and devices used in the distribution of controlled chemicals
pruning clippers and shears

-R-

rakes
removable pens, crates, stalls and flooring for livestock
repair labour to service any goods referred to in this section
rock pickers
rope

-S-

scales and weight tapes

seed treaters
seeds
shovels
silo unloaders
skid steer loaders and fork lifts
soil additives and pasteurizers
sub soilers

-T-

tarpaulins
tow cables
tractors (compact utility class or greater)
two-way radio equipment for use on farm machinery

-V-

ventilation equipment for farm buildings
veterinary services and supplies

-W-

weed and stubble burners
welding supplies
wheelbarrows
wool cards

3. Section 28 of the regulations is revoked and the following substituted:

28. For the purpose of clause 12(1)(f.1) of the Act, “boats, fishing nets and other apparatus, including parts therefor” means the following goods when purchased by a fisherman for commercial fishery use and not for any other commercial operation:

Commercial fishing
and apparatus

-A-

aluminum pen boards and stanchions
anchors, mooring, trap and trawl
anti-fouling compound
aprons

-B-

bait
bait freezers
barometers
batteries for boats
bilge pumps
binnacles
bluestone
boat bailers
boats (fishing), dinghies, dories, skiffs and scows
buoys, floats and markers
burlap net covers

-C-

cables
chafing gear or hides
chains
charts, tide and navigation
chocks
cleaning tools including brushes, mops and brooms
clocks for boats
connectors
counters, tallying
crates, scale baskets and stowage and storage baskets

-D-

depth sounders
dipnets
direction finders
dye (for nets and traps)

-E-

electric light bulbs for use on boats (6, 12 and 32 volts)
electric motors for operating pumps and equipment
engine room telegraph
engines for boats

-F-

fast eye blocks
fenders
fish bugs, hooks, jigs, lines, lures and sinkers
fish storage tanks
fishing nets and netting
floats for nets
fog horns and bells
forks

-G-

gaffs
galley stoves and ranges
galvanized steering blocks
gas tanks for boats
gloves
GPS equipment
grub hoes
gurdies

-H-

hatch covers
hoists on boats
hydraulic pumps, motors, fittings, hoses and valves
hydraulic steerers and auto pilots

-I-

ice-making machines

-K-

knives, splitting, skinning, filleting, gutting and shucking and other such equipment

-L-

lamps for use on boats
lobster measures, plugs and rubber bands
lobster traps
loose hook blocks

-M-

marine paint
marine refrigerators
marine stoves and furnaces
marine toilets and sinks
measuring boards
mending twine for nets
moss rakes
motors, inboard and outboard, for fishing boats

-N-

navigation and port lights
needles for netting
net moorings and winches
nets
netting leads

-O-

oars
otter chains, discs, lifters, rollers and spacers
otter combination rope
otter trawl door and floats
otter trawl leather, nets
oyster harrows, rakes, scoops, scythes, spreaders, threshers and tongs

-P-

pails
parts for any goods in this section
power blocks
preservatives for nets and lines
propellers
pumps for boats

-Q-

quadrants

-R-

radar equipment
radio telephones for fishing boats
refrigeration equipment for fishing boats
repair labour to service any goods referred to in this section
resin and fibreglass matting
rope
row locks
rubber clothing and footwear

-S-

sails for fishing boats
scallop bags and ties
seam paint and filler
shackles
shovels
signal bells
snatch blocks
stays
survival suits

-T-

taraulins
tide tables
trap dumpers, haulers and lifters
trolling bells, blocks, springs and swivels
turnbuckles

-V-

ventilators

-W-

wash down pumps for boats
weigh scales
wet suits
winches and pulleys on boats
wire cable

4. Section 28.1 of the regulations is revoked and the following substituted:

Aquaculture
supplies

28.1 For the purpose of clause 12(1)(f.1) of the Act, the following goods are exempt from tax when purchased by an aquaculturist for use in the practice of aquaculture and not in any other commercial operation:

-A-

aerators
alarms and monitoring equipment

anaesthetics, antibiotics, disinfectants, medicines, pharmaceuticals
and vaccines for aquatic species
anchors for mooring of boats, cages and lines
anti-fouling compounds
aprons
augers for harvesting through ice
axes for harvesting through ice

-B-

baler twine (to reinforce mussel socks)
barometers
batteries for boats
bilge pumps
binnacles
boat bailers
boats (fishing), dinghies, dories, skiffs and scows
bungee cord
buoys, floats and markers

-C-

cables
cages and tanks
cement troughs for dipping oyster collectors
chain saws (minimum 70cc with 2 foot bar)
chains
charts, tide and navigation
cleaning tools including brushes, mops and brooms
clocks for boats
collector supports, including stands, flotation devices and long lines
connectors
conveyors
counters, tallying
crates, scale baskets and stowage and storage boxes

-D-

depth sounders
dimmers to control lighting
dipnets
dissolved oxygen metres

-E-

electric light bulbs for use on boats (6, 12 and 32 volts)
electric motors for operating pumps and equipment
engines for boats
escalators

-F-

fan belts designed for machinery and equipment used by
aquaculturists

fans for hatchery ventilation
feed storage boxes and bins
feeders
fenders
fish eggs
fish feed
fish feed additives
fish feed mixers and grinders
fish grading equipment
fish tags and tagging devices
fishing nets and netting
floats for nets
fog horns and bells
freezers for quick freezing, except cold storage units

-G-

gaffs
gas tanks for boats
gear boxes for operating pumps and equipment
generators, auxiliary
GPS equipment

-H-

hatch covers
heaters (salamander)
hoists for feed and fish handling
hydraulic pumps, motors, fittings, hoses and valves
hydraulic steerers and auto pilots
hydrometers, PH meters, temperature and salinity meters and
thermometers

-I-

ice-making machines
incubators

-K-

knives, splitting, skinning, filleting, gutting and shucking and other
such equipment

-L-

lamps for use on boats
lifting devices
lime (bluestone) used to kill starfish
live fish
live spat
loose hook blocks

-M-

marine paint
marine refrigerators

marine stoves and furnaces
marine toilets and sinks
measuring boards
medicine for aquatic species
mending twine for nets
microscopes and laboratory glassware
motors, inboard and outboard, for fishing boats
mussel de-clumping, debasing, washing and grading equipment

-N-

needles for netting
netting for cages and pens

-O-

oars
oxygen generating equipment
oyster harrows, rakes, scoops, scythes, spreaders, threshers and
tongs

-P-

pails
parts for any goods referred to in this section
plastic locking zip ties
plastic socks, mesh bags and Japanese lanterns
pre-manufactured fish feeders
pre-manufactured fish tanks having a minimum volume of one cubic
metre
preservatives for nets and lines
propellers
pumps for boats

-Q-

quadrants

-R-

radar equipment
radio telephones for fishing boats
refrigeration equipment for the preservation of fish food and fish
before delivery to a buyer
repair labour to service any goods referred to in this section
resin and fibreglass matting
rope
row locks
rubber clothing and footwear

-S-

scoops
seam paint and filler
shackles

shot, teleshot, scare cannons for scaring sea ducks
shovels
signal bells
sinkers for mussel socks
sleds used in harvesting aquaculture products
smokers
socking materials
spat collectors and Chinese hats
stainless steel hog rings
starter's pistols for scaring birds
stocking-stuffer tables
survival suits

-T-

tarpaulins
temperature chart recorders
timers to control lighting
towing devices and hitches attached to exempt vehicles
trailers and wagons used to transport aquacultural products or
equipment to and from aquaculture beds or fish farms and not
required to be licensed
turnbuckles

-V-

ventilating systems for processing plants and warehouses
vexar material for oyster socking

-W-

wash down pumps for boats
water and soil analyzers
water circulation systems including pumps, pipes, valves, filters and
fittings
water heaters
water testing equipment
water treatment chemicals
weigh scales
wet suits
winches and pulleys not attached to vehicles required to be
registered under the *Highway Traffic Act*
wire cable

5. (1) Subsection 1(1) and sections 3 and 4 are deemed to have come into force on January 1, 2000.

(2) Subsection 1(2) and section 2 are deemed to have come into force on April 1, 2002.

EXPLANATORY NOTES

SECTION 1 allows a tax refund to be paid to an aquaculturist or a farmer in respect of the purchase of certain equipment used to practice farming or aquaculture.

SECTION 2 provides an amended list of taxable goods that may be purchased tax exempt by a farmer for use in that industry and for no other commercial purpose.

SECTION 3 provides an amended list of taxable goods that may be purchased tax exempt by a commercial fisherman for use in that industry and for no other commercial purpose.

SECTION 4 revokes the current list of goods that may be purchased tax exempt by an aquaculturist and replaces it with a revised list.

SECTION 5 provides for the commencement of these regulations.

Certified a true copy,
Lynn E. Ellsworth
Clerk of the Executive Council

EC2003-433

**ROADS ACT
HIGHWAY ACCESS REGULATIONS
AMENDMENT**

(Approved by His Honour the Lieutenant Governor in Council dated 12 August 2003.)

Pursuant to subsection 29(1) of the *Roads Act* R.S.P.E.I. 1988, Cap. R-15, Council made the following regulations:

1. Schedule A-1, ARTERIAL HIGHWAYS, of the *Roads Act* Highway Access Regulations (EC580/95) is amended

(a) by the revocation of subsection 1(1) and the substitution of the following:

(1) Route 1, the Trans Canada Highway, from the eastern boundary of the property owned by the Government of Canada connecting to the Confederation Bridge in the Community of Borden-Carleton to the intersection of the Upton Road in the City of Charlottetown and from the

intersection of Grafton Street in the City of Charlottetown to the intersection of Route 210 in the settlement of Orwell.

(b) by the revocation of subsection 1(3) and the substitution of the following:

(3) Route 2:

(a) commencing at the intersection of Route 305 in the Town of Souris to the intersection of the Charlottetown Perimeter Highway in the City of Charlottetown (formerly in the Community of Sherwood); and

(b) re-commencing at the intersection of the Charlottetown Perimeter Highway in the City of Charlottetown (formerly in the Community of West Royalty) to the intersection of Route 153 in the Community of Tignish.

(c) by the revocation of subsection 2(2) and the substitution of the following:

(2) The Charlottetown Perimeter Highway from the intersection of the Upton Road in the City of Charlottetown to the intersection of Route 2 (at St. Peters Road) in the City of Charlottetown.

(d) by the revocation of subsection 3(3).

2. Schedule A-3, INFILLING AREAS, of the regulations is amended

(a) by the revocation of clause 1(1)(a);

(b) by the deletion of the semicolon after subclause 1(1)(c)(ii) and the substitution of a period; and

(c) by the revocation of clause 1(1)(d).

3. These regulations come into force on August 23, 2003

EXPLANATORY NOTES

SECTION 1 provides the correct description of Route 1 of the Trans Canada Highway in Borden - Carleton since the construction of the Confederation Bridge. It also renames references to the Communities of Sherwood and West Royalty to the City of Charlottetown. The section corrects the proper designation of the Charlottetown Perimeter Highway as an arterial highway from the intersection of Upton Road to the intersection of Route 2 at the St. Peters Road and revokes Promenade Acadienne as an arterial highway.

SECTION 2 revokes a portion of arterial highway in the Community of Borden - Carleton for infilling and revokes a portion of arterial highway in the City of Charlottetown for infilling.

SECTION 3 provides for the commencement of these regulations.

Certified a true copy,
Lynn E. Ellsworth
Clerk of the Executive Council

EC2003-434

**ROADS ACT
HIGHWAY ACCESS REGULATIONS
AMENDMENT**

(Approved by His Honour the Lieutenant Governor in Council dated 12 August 2003.)

Pursuant to subsection 29(1) of the *Roads Act* R.S.P.E.I. 1988, Cap. R-15, Council made the following regulations:

1. Schedule C-2, LOCAL (CLASS 2) HIGHWAYS, of the *Roads Act* Highway Access Regulations (EC580/95) is amended by the addition of the following after subsection 1(333):

(333.1) **Road Index 11250:** The paved portion of Road Index 11250 in the settlement of Woodstock commencing at the intersection of Route 136 for a distance of 1.3 km.

2. These regulations come into force on August 23, 2003.

EXPLANATORY NOTES

The amendment classifies 1.3 kilometers of Road Index 11250 in the settlement of Woodstock as C-2 paved local highway to enable the Department of Transportation and Public Works to provide year-round maintenance to it, thereby adding the road to the public highway system.

Certified a true copy,
Lynn E. Ellsworth
Clerk of the Executive Council

EC2003-436

**SUMMARY PROCEEDINGS ACT
TICKET REGULATIONS
AMENDMENT**

(Approved by His Honour the Lieutenant Governor in Council dated 12 August 2003.)

Pursuant to section 10 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 the “ENVIRONMENTAL PROTECTION ACT Sewage Disposal Systems Regulations (EC403/03)” and the substitution of the following:

**ENVIRONMENTAL PROTECTION ACT
Sewage Disposal Systems Regulations
(EC403/03)**

1	Installing etc. sewage disposal system without a licence.....	3(1)	200 (individual) 1000 (corporation)
2	Permitting the installation etc. of sewage disposal system without licensed contractor or registered installer on site.....	3(2)	200 (individual) 1000 (corporation)
3	Failing to ensure work carried out in compliance with regulations.....	3(3)	200 (individual) 1000 (corporation)
4	Construction, reconstruction, installation or modification of sewage disposal system without a permit.....	4(1)(a)	200 (individual) 1000 (corporation)
5	Construction, reconstruction, installation or modification of sewage disposal system without having permit in possession on site.....	4(1)(c)	200 (individual) 1000 (corporation)
6	Installing etc. sewage disposal system not in accordance with regulations.....	4(3)	200 (individual) 1000 (corporation)
7	Covering sewage disposal system without obtaining permission.....	4(5)	200 (individual) 1000 (corporation)
8	Deviating from conditions of permit.....	4(6)	200 (individual) 1000 (corporation)
9	Failing to furnish certificate of compliance.....	6	200 (individual) 1000 (corporation)
10	Constructing sewage disposal system within 23m of a beach.....	8(1)(b)	200 (individual) 1000 (corporation)
11	Failing to ensure abandoned septic tank is properly decommissioned within 10 days.....	9.1(2)	200 (individual) 1000 (corporation)
12	Failing to decommission abandoned septic tank as required.....	9.1(3)	200 (individual) 1000 (corporation)
13	Failing to notify authority of decommissioning of abandoned septic tank.....	9.1(4)	200 (individual) 1000 (corporation)
14	Installing or constructing sewage holding tank on existing parcel without approval.....	16(1)	200 (individual) 1000 (corporation)
15	Installing or constructing sewage holding tank not in compliance with regulations.....	16(1.2)	200 (individual) 1000 (corporation)
16	Performing site suitability assessment without a licence.....	17.1(1)	200 (individual) 1000 (corporation)

17 Cleaning sewage disposal systems or landspreading septage or sludge without a licence or without complying with regulations.....	22(1)	200 (individual) 1000 (corporation)
18 Placing septage or sludge in holding site without prior approval.....	22(3.1)	200 (individual) 1000 (corporation)
19 Disposing of unstabilized sewage at a place other than a waste treatment system.....	23	200 (individual) 1000 (corporation)

2. These regulations come into force on January 1, 2004.

EXPLANATORY NOTES

The amendments update the offence provisions in the *Summary Proceedings Act* Ticket Regulations for the *Environmental Protection Act* Sewage Disposal Systems Regulations.

Certified a true copy,
Lynn E. Ellsworth
Clerk of the Executive Council

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R-15	Roads Act Highway Access Regulations	EC580/95	Schedule A-1 s.1(1) [R&S] s.1(3) [R&S] s.2(2) [R&S] s.3(3) [rev] Schedule A-3 s.1(1)(a) [rev] s.1(1)(d) [rev] [eff] Aug. 23/03	EC2003-433 (12.08.03)	261-263
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S-9	Summary Proceedings Act Ticket Regulations	EC321/01	Schedule 2 [eff] Jan. 1/04	EC2003-436 (12.08.03)	264-265