

Royal Gazette

Prince Edward Island

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Charlottetown, Prince Edward Island, November 13, 2004

**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
DEAGLE, Michael J. Miminegash Prince Co., PE November 13th, 2004 (46-07)*	Richard Blanchard (EX.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
CAHILL, James (Jim) Souris West Kings Co., PE November 13th, 2004 (46-07)*	Margaret Cahill (AD.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
RAFFERTY, Walter Jarvis Foxley River Prince Co., PE November 13th, 2004 (46-07)*	Susan Rafferty (AD.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
DALTON, Mary Theresa Township of King York, Ontario November 06th, 2004 (45-06)	Allan Thomas Dalton Douglas Edward Dalton (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
DOYLE, Richard William Patrick Savage Harbour Queens Co., PE November 06th, 2004 (45-06)	Shirley Grace Doyle (EX.)	James T. Revell Law Office PO Box 2135 Charlottetown, PE
GILLIS, Ida Belle Summerside Prince Co., PE November 06th, 2004 (45-06)	Catherine Shirley Gillis Gladys Belle Gillis (EX.)	Key McKnight & Maynard PO Box 1570 Summerside, PE

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

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Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (EX) Administrator/Administratrix (AD)	Place of Payment
HANSCOME, Richard M. Bonshaw RR#1 Queens Co., PE November 06th, 2004 (45-06)	Sharon L. Elderkin (EX.)	Sharon L. Elderkin PO Box 514 Charlottetown, PE
KELLY, Grace Teresa Stratford Queens Co., PE November 06th, 2004 (45-06)	Elizabeth Ann Kelly-Gaudet (EX.)	Paul J. D. Mullin, QC PO Box 604 Charlottetown, PE
MacQUARRIE, Gail Joyce Charlottetown Queens Co., PE November 06th, 2004 (45-06)	Millar Athol MacQuarrie (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
McINNIS, Irma Elizabeth Vancouver British Columbia November 06th, 2004 (45-06)	Ara Rose Parker Mary Frances Smith (EX.)	Regena Kaye Russell Law Corp. PO Box 383 O'Leary, PE
QUINN, Ruby Isabel Charlottetown Queens Co., PE November 06th, 2004 (45-06)	Susan Connaughton Jane Quinn Darla Murray (nee Quinn) (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE
REID, David Cameron Murray Harbour North Kings Co., PE November 06th, 2004 (45-06)	Mary Angela Reid (EX.)	Greg B. Collins Law Office Suite 405, 134 Kent Street Charlottetown, PE
O'BRIEN, Brenton Joseph Summerside Prince Co., PE November 06th, 2004 (45-06)	Michelle O'Brien (AD.)	Patterson Palmer PO Box 486 Charlottetown, PE
ABBOTT, Elizabeth Maud Rose Valley Queens Co., PE October 30th, 2004 (44-05)	Gordon Abbott (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
LANDRY, Christine Travellers Rest Prince Co., PE October 30th, 2004 (44-05)	Arnold Landry (EX.)	Taylor McLellan PO Box 35 Summerside, PE

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WHITEHEAD, Bernadette Mary Cornwall Rd., Cornwall Queens Co., PE October 30th, 2004 (44-05)	Paul Whitehead Andrew (Andy) Whitehead (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
DENNIS, Daryl Ralph Oakland California, USA October 30th, 2004 (44-05)	Charles Dean Dennis (AD.)	David R. Hammond, QC 740A Water Street East Summerside, PE
MacNEILL, James E. Kensington Prince Co., PE October 30th, 2004 (44-05)	Larry Arsenault (AD.)	Ramsay & Clark PO Box 96 Summerside, PE
AYERS, Anne Marguerite Charlottetown Queens Co., PE October 23rd, 2004 (43-04)	Catherine A. Horne (EX.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
BELL, Barbara Thelma Abney Kings Co., PE October 23rd, 2004 (43-04)	Clayton James Bell (EX.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
BOWNESS, Helen Margaret Summerside Prince Co., PE October 23rd, 2004 (43-04)	Gordon Bowness Kyler Bowness (EX.)	Donald Schurman 155A Arcona Street Summerside, PE
GAUDET, Mary Marguerite, also known as Marguerite Mary Gaudet Summerside Prince Co., PE October 23rd, 2004 (43-04)	Mary Elizabeth (Betty) Bertrand (EX.)	Key McKnight & Maynard PO Box 1570 Summerside, PE
BIRD, Muriel Pearl Charlottetown Queens Co., PE October 23rd, 2004 (43-04)	Rev. Doreen Daley Dorothy Drewett (AD.)	Patterson Palmer PO Box 486 Charlottetown, PE

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Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (EX) Administrator/Administratrix (Ad)	Place of Payment
GILLIS, Francis (Frank) Bernard Charlottetown Queens Co., PE October 16th, 2004 (42-03)	Charles MacDonald Blaine Cheverie (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
HOWARD, Robert Thomas Benjamin Charlottetown Queens Co., PE October 16th, 2004 (42-03)	Brenda L. Howard (EX.)	Carr, Stevenson & MacKay PO Box 522 Charlottetown, PE
MacNEILL, Charles Wayne Alma Prince Co., PE October 16th, 2004 (42-03)	Betty Mary MacNeill (EX.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
McKOWN, H. Merrill Annandale, Township of Clinton Hunterdon County New Jersey, USA October 16th, 2004 (42-03)	Gilbert R. McKown (AD.)	Key McKnight & Maynard PO Box 1570 Summerside, PE
BROWN, Rhoda B. Charlottetown and New Glasgow Queens Co., PE October 9th, 2004 (41-02)	Ian M. MacLeod, Q.C. William R. MacLeod (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
GALLANT, James Deric North Rustico Queens Co., PE October 9th, 2004 (41-02)	Joan Carolyn Gallant (EX.)	E. W. Scott Dickieson Law Office PO Box 1453 Charlottetown, PE
MacKENZIE, Cuyler Hartsville Queens Co., PE October 9th, 2004 (41-02)	Robert MacKenzie Bruce MacKenzie (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
McKEARNEY, Reverend Garth F. Summerside Prince Co., PE October 9th, 2004 (41-02)	Reverend Douglas MacDonald Reverend Albin Arsenault (EX.)	Taylor McLellan PO Box 35 Summerside, PE

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SAVIDANT, Leonard Joseph Summerside Prince Co., PE October 9th, 2004 (41-02)	Carol MacDonald (EX.)	David R. Hammond, QC 740A Water Street East Summerside, PE
SULLIVAN, J. William Cardigan Kings Co., PE October 9th, 2004 (41-02)	Geraldine Sullivan (EX.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
YOUNKER, Harold Richard Jewell Road, Warren Grove Queens Co., PE October 9th, 2004 (41-02)	Harold Lloyd Younker (EX.)	Robert R. MacArthur PO Box 127 Cornwall, PE
BANKS, Janet Mary Florence Conway Prince Co., PE October 9th, 2004 (41-02)	Inez Elizabeth Campbell (AD.)	Donald Schurman 155A Arcona Street Summerside, PE
CAMPBELL, Mary Flora DeGros Marsh Kings Co., PE October 9th, 2004 (41-02)	Alfred K. Fraser (AD.)	Law Office of Alfred K. Fraser, QC PO Box 516 Montague, PE
BRUCE, Clive Elmira Kings Co., PE October 2nd, 2004 (40-01)	Walter Bruce David Bruce Fern Keus (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
BRYENTON, William Delmar Indian River Prince Co., PE October 2nd, 2004 (40-01)	Thurza Nicholson (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
BURGE, Catherine Edna Charlottetown Queens Co., PE October 2nd, 2004 (40-01)	Ann Elaine MacDonald Ian Keith Burge (EX.)	Paul J. D. Mullin, QC PO Box 604 Charlottetown, PE

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BURGE, John Louis Francis Charlottetown Queens Co., PE October 2nd, 2004 (40-01)	Ann Elaine MacDonald Ian Keith Burge (EX.)	Paul J. D. Mullin, QC PO Box 604 Charlottetown, PE
CRAIG, Elsie Daisy (nee Nutley) Baie-D'Urfe Quebec October 2nd, 2004 (40-01)	Patrick Steven W. Craig (EX.)	Lyle & McCabe PO Box 300 Summerside, PE
NEWSON, Reta Belle Charlottetown Queens Co., PE October 2nd, 2004 (40-01)	Freda White Rees Newson (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
REEVES, James Joseph Freetown Prince Co., PE October 2nd, 2004 (40-01)	Melvin Reeves (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
RILEY, Bruce Clinton Queens Co., PE October 2nd, 2004 (40-01)	David Bruce Riley (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
BENEDICT, Marian Jean Calgary Alberta September 25th, 2004 (39-52)	Andrea Lee Wilson (EX.)	J. Allan Shaw Law Corporation PO Box 40 Alberton, PE
GALLANT, George Orleans Ontario September 25th, 2004 (39-52)	Liana J. Gallant (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
MacKINNON, Reginald Joseph Monticello Kings Co., PE September 25th, 2004 (39-52)	Brenda MacKinnon Elizabeth (Betty) Crossman (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE

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MATTHEWS, Benny Robert Elmsdale Prince Co., PE September 25th, 2004 (39-52)	Christine E. Matthews (EX.)	Taylor McLellan PO Box 35 Summerside, PE
ROBERTSON, Arthur Weston Kingsboro Kings Co., PE September 25th, 2004 (39-52)	Lillian Robertson (AD.)	Patterson Palmer PO Box 486 Charlottetown, PE
CASELEY, Doris Beatrice Summerside Prince Co., PE September 18th, 2004 (38-51)	George Caseley Errol Caseley Sheila Caseley (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
DINGMAN, Doris Allen Mount Buchanan Queens Co., PE September 18th, 2004 (38-51)	Richard Dingman (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
LeCLAIR, Margaret Bella Summerside Prince Co., PE September 18th, 2004 (38-51)	Henry LeClair (EX.)	Key McKnight & Maynard PO Box 1570 Summerside, PE
MITCHELL, Frederick George Albany Prince Co., PE September 18th, 2004 (38-51)	Robert George Mitchell William Kenneth Mitchell Joanne Maxine Carruthers (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
WOOLNER, Evelyn Flora North Rustico Queens Co., PE September 18th, 2004 (38-51)	Dr. Lewis B. Woolner (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
FULLER, James Charles Mississauga Ontario September 11th, 2004 (37-50)	Eleanor Joan Fuller (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE

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GALLANT, Nelida (also known as Nellie Gallant) Summerside Prince Co., PE September 11th, 2004 (37-50)	Armand Gallant Sr. Norma Gallant (EX.)	Key McKnight & Maynard PO Box 1570 Summerside, PE
HOWATT, Stella Ethel Charlottetown Queens Co., PE September 11th, 2004 (37-50)	Eugene P. Rossiter (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
HOWLETT, Annie Ruth Charlottetown Queens Co., PE September 11th, 2004 (37-50)	Stephen McQuaid Evelyn McQuaid Betty Howlett (EX.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
JONES, Charles Arthur Pownal Queens Co., PE September 11th, 2004 (37-50)	Phyllis Lowther Dianne E. Wood (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
MacINNIS, Helen D. Summerside Prince Co., PE September 11th, 2004 (37-50)	Ronald MacInnis Mary MacDonald (EX.)	Taylor McLellan PO Box 35 Summerside, PE
MacKENZIE, Edna Jean Kensington Prince Co., PE September 11th, 2004 (37-50)	Charles Dean Dennis (EX.)	David R. Hammond, QC 740A Water Street East Summerside, PE
MacNEILL, Thelma Mary Kensington Prince Co., PE September 11th, 2004 (37-50)	Larry Arsenault (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
MASON, Glen Isabel Stratford Queens Co., PE September 11th, 2004 (37-50)	Donald Herbert Mason (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE

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NEWSON, Naomi Laura Winsloe Queens Co., PE September 11th, 2004 (37-50)	Beryl Gregory Henning Dean Gregory (EX.)	T. Daniel Tweel 105 Kent Street Charlottetown, PE
RICHARD, John Nellis Charlottetown Queens Co., PE September 11th, 2004 (37-50)	John Edward Richard (EX.)	Patterson Palmer PO Box 486 Charlottetown, PE
TRAINOR, Louis Vincent Charlottetown Queens Co., PE September 11th, 2004 (37-50)	Deborah Marie Trainor Donna D. L. Dingwell Louis David Trainor Cheryl Anne Ford (AD.)	Robert R. MacArthur PO Box 127 Cornwall, PE
McEACHERN, Roland Joseph Brantford Ontario September 4th, 2004 (36-49)	Randall John McEachern Simone Christine McEachern (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
McKENNA, Stephen Alberry Plains Vernon PO Queens Co., PE September 4th, 2004 (36-49)	Jennifer McKenna Vivian MacAulay (EX.)	Jennifer McKenna 12 Goodwill Avenue Charlottetown, PE &/or Vivian MacAulay RR#3 Souris, PE
MILLIGAN, Leona Bertha Summerside Prince Co., PE September 4th, 2004 (36-49)	Deborah Broad Patricia Larabee (EX.)	David R. Hammond, QC 740A Water Street East Summerside, PE
PHEMISTER, Hildred MacMurdo Beaconsfield Quebec September 4th, 2004 (36-49)	Robert Phemister Bruce Phemister William Phemister (EX.)	David R. Hammond, QC 740A Water Street East Summerside, PE
WARD, John Deighan Breadalbane Queens Co., PE September 4th, 2004 (36-49)	Vera Caroline Ward (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
WARREN, Nancy Dorcas Simpson Charlottetown Queens Co., PE September 4th, 2004 (36-49)	Hugh H. Simpson (EX.)	Macnutt & Dumont PO Box 965 Charlottetown, PE

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WINCHESTER, Robert (Sr.) Summerside Prince Co., PE September 4th, 2004 (36-49)	Sarah (Sadie) Dolan Doreen Ellis (EX.)	Taylor McLellan PO Box 35 Summerside, PE
ZAKEM, Joseph Albert Charlottetown Queens Co., PE September 4th, 2004 (36-49)	Edith Joann Zakem (EX.)	Cox Hanson O'Reilly Matheson PO Box 875 Charlottetown, PE
MacNALLY (McNALLY), Francis Leigh Charlottetown Queens Co., PE September 4th, 2004 (36-49)	John Thomas MacNally (McNally)(AD.)	Reagh & Reagh 17 West Street Charlottetown, PE
GALLANT, Henry "Edwin" Summerside Prince Co., PE August 28th, 2004 (35-48)	Robert Powers (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
GILES, Edwin Glennie (Jr.) Riverview Westmorland Co., NB August 28th, 2004 (35-48)	Douglas Arthur Campbell (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
HOWARD, George Chester Charlottetown Queens Co., PE August 28th, 2004 (35-48)	John W. Howard Melanie Taylor (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
MacMILLAN, William H. Williston Vermont, USA August 28th, 2004 (35-48)	Leslie Jean MacMillan (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
TROWSDALE, Walter Nathaniel Victoria Queens Co., PE August 28th, 2004 (35-48)	Constance (Connie) Jean Trowsdale (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
WILLIAMS, Orville Phillip Tyne Valley Prince Co., PE August 28th, 2004 (35-48)	Vernon Williams Keith Milligan (EX.)	Key McKnight & Maynard PO Box 177 O'Leary, PE

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BECK, Gordon L. Machon Point Kings Co., PE August 28th, 2004 (35-48)	Sandra King Mary Lou MacLeod George Beck (AD.)	Patterson Palmer PO Box 486 Charlottetown, PE
ANDROS, M. Kathleen Souris Kings Co., PE August 21st, 2004 (34-47)	Allen J. MacPhee, QC (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
CONDON, J. Everett Bonshaw Queens Co., PE August 21st, 2004 (34-47)	Joseph Condon (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
GALLANT, Marcella Summerside Prince Co., PE August 21st, 2004 (34-47)	Patrick Gallant (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
GARDINER, William Prowse Summerside Prince Co., PE August 21st, 2004 (34-47)	Lloyd Reeves (EX.)	Key McKnight & Maynard PO Box 1570 Summerside, PE
MacLEAN, Edison Claremont Orwell Cove Queens Co., PE August 21st, 2004 (34-47)	Lucille T. MacLean David MacLean Floyd MacLean (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MacLEAN, Russell Leigh Cole Harbour Nova Scotia August 21st, 2004 (34-47)	Kathleen MacLean (EX.)	Patterson Palmer 82 Summer Street Summerside, PE
MOASE, Kenneth E. Charlottetown Queens Co., PE August 21st, 2004 (34-47)	Brian K. Moase Leigh E. Moase (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
WEBSTER, Marjorie Fremont California, USA August 21st, 2004 (34-47)	Frances Stenehjem (EX.)	Campbell, Lea PO Box 429 Charlottetown, PE

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WHITLOCK, Laura Hunter River Queens Co., PE August 21st, 2004 (34-47)	Clara Whitlock (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
ROSE, Mabel Louise Lakeville Kings Co., PE August 21st, 2004 (34-47)	Robin W. Rose (AD.)	Birt & McNeill PO Box 20063 Sherwood, PE
WESTAWAY, Nathaniel Albion Kings Co., PE August 21st, 2004 (34-47)	Sandra O'Connor (AD.)	Campbell Lea PO Box 429 Charlottetown, PE

The following orders were approved by His Honour the Lieutenant Governor in Council dated 2 November 2004.

EC2004-630**LOTTERIES COMMISSION ACT
PRINCE EDWARD ISLAND LOTTERIES COMMISSION
APPOINTMENT**

Pursuant to subsection 2(2) of the *Lotteries Commission Act* R.S.P.E.I. 1988, Cap. L-17 Council made the following appointment to the Prince Edward Island Lotteries Commission:

NAME	TERM OF APPOINTMENT
as member	
Michael L. O'Brien Charlottetown (vice Stirling (Ginger) Breedon, retired)	12 October 2004 at pleasure

EC2004-631**MEDICAL ACT
COUNCIL OF THE COLLEGE OF PHYSICIANS AND SURGEONS
OF PRINCE EDWARD ISLAND
APPOINTMENT**

Pursuant to clause 7(1)(c) of the *Medical Act* R.S.P.E.I. 1988, Cap. M-5 Council made the following appointment:

NAME	TERM OF APPOINTMENT
Betty Robertson Summerside (vice Harry MacConnell, term expired)	16 September 2004 to 16 September 2007

Signed,
W. Alexander (Sandy) Stewart
Clerk of the Executive Council

PROCLAMATION

CANADA

PROVINCE OF PRINCE EDWARD ISLAND

(Great Seal)

By His Honour the Honourable
Léonce Bernard, Lieutenant Governor
of the Province of Prince Edward Island,
etc.

Hon. J. LÉONCE BERNARD
Lieutenant Governor

**PROROGATION OF THE LEGISLATIVE ASSEMBLY
(FIRST SESSION, SIXTY-SECOND GENERAL ASSEMBLY)**

WHEREAS it has been deemed expedient to prorogue the First Session of the Sixty-second General Assembly of this Province and forthwith to call a new Session of the Legislative Assembly,

I HAVE THEREFORE thought fit, by and with the advice and consent of Her Majesty's Executive Council of this Province, to prorogue the First Session of the Sixty-second General Assembly and, that the same is hereby prorogued.

GIVEN under my hand and the Great Seal of the Province at Charlottetown aforesaid this second day of November in the year of our Lord two thousand and four and in the fifty-third year of Her Majesty's Reign.

By Command,

W. ALEXANDER (SANDY) STEWART
Clerk of the Executive Council

PROCLAMATION

CANADA

PROVINCE OF PRINCE EDWARD ISLAND

(Great Seal)

By His Honour the Honourable
Léonce Bernard, Lieutenant Governor
of the Province of Prince Edward Island,
etc.

Hon. J. LÉONCE BERNARD
Lieutenant Governor

Hon. MILDRED A. DOVER
Attorney General

WHEREAS it is deemed expedient to convene the Legislative Assembly of this Our Province of Prince Edward Island for the transaction of public business, I DO, by and with the advice and consent of Her Majesty's Executive Council of our said Province, order and direct that the said Legislative Assembly be summoned to meet, and the same is hereby summoned to meet for the

DESPATCH OF BUSINESS

at Charlottetown, in our said Province on Thursday, the eighteenth day of November, A.D. 2004, at the hour of three o'clock in the afternoon, of which all persons concerned are required to take notice and govern themselves accordingly.

GIVEN under my hand and the Great Seal of the Province at Charlottetown aforesaid this second day of November in the year of our Lord two thousand and four and in the fifty-third year of Her Majesty's Reign.

By Command,

W. ALEXANDER (SANDY) STEWART
Clerk of the Executive Council



Legislative Assembly
of
Prince Edward Island

Private Bills

The Rules of the Legislative Assembly of Prince Edward Island state the requirements which must be met by those interested in pursuing the introduction of a private bill in the Legislative Assembly.

Notice is hereby served that Rules 69 through 74 apply to any person or organization wishing to promote the introduction of a private bill during the 2nd Session of the 62nd General Assembly.

Charles H. MacKay
Clerk of the Legislative Assembly

44-47

**NOTICE OF
PETITION FOR PRIVATE BILL**

TAKE NOTICE that at the next sitting of the Legislative Assembly a Petition will be presented for a private bill to amend the BAPTIST CHURCH ACT, Stats. P.E.I. 1997, Cap. 55, assented to on May 29, 1997.

The scope of the petition is to amend the present Act to change the corporate name from "The First United Baptist Church of Charlottetown" to "The First Baptist Church of Charlottetown".

DATED this 29th day of October, A.D. 2004, at Charlottetown, in Queens County, Province of Prince Edward Island.

HORACE B. CARVER, Q.C.
Solicitor for the Petitioner

45-46

**NOTICE OF COMPANY
AMALGAMATIONS**

Companies Act
R.S.P.E.I. 1988, Cap. C-14, s.77

Public Notice is hereby given that under the *Companies Act* letters patent have been issued by the Minister to confirm the following amalgamation:

PRINCE ELECTRIC INC.
NOYE ENTERPRISES INC.
Amalgamating companies
NOYE ENTERPRISES INC.
Amalgamated company
Date of Letters Patent: November 01, 2004

RIVER ISLAND INC.
COASTAL GOODS INC.
Amalgamating companies
COASTAL GOODS INC.
Amalgamated company
Date of Letters Patent: November 02, 2004

MBR HOLDINGS INC.
MACAULAY'S DELI INC.
Amalgamating companies
MACAULAY'S BAKERY AND DELI INC.
Amalgamated company
Date of Letters Patent: November 03, 2004

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NOTICE OF DISSOLUTION

Partnership Act
R.S.P.E.I. 1988, Cap. P-1

Public Notice is hereby given that a Notice of Dissolution has been filed under the *Partnership Act* for each of the following:

Name: GRANHERNE
Owner: Kellogg Brown & Root (Canada)
Company
Registration Date: November 03, 2004

Name: KELLOGG BROWN & ROOT
Owner: Kellogg Brown & Root (Canada)
Company
Registration Date: November 03, 2004

Name: BROWN & ROOT ENERGY
SERVICES
Owner: Kellogg Brown & Root (Canada)
Company
Registration Date: November 03, 2004

Name: J & S VISSER PRODUCE
 Owner: Jacob Visser
 Stephen Visser
 Registration Date: November 02, 2004

Name: THE TURNING POINT NATURAL
 FOOD & HEALTH CENTRE
 Owner: Francis J. Lannigan
 Registration Date: November 01, 2004

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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: ENTEGRITY WIND SYSTEMS INC.
 201 Water Street
 Charlottetown, PE C1A 1B1
 Incorporation Date: October 27, 2004

Name: eWebAssist Inc.
 Atlantic Technology Centre
 400 University Avenue
 Charlottetown, PE C1A 4N6
 Incorporation Date: October 29, 2004

Name: J & S VISSER PRODUCE INC.
 285 New Cove Road
 Vernon River, PE C0A 2E0
 Incorporation Date: November 02, 2004

Name: P & G FIRE & SAFETY INC.
 85 Lily Crescent
 Summerside, PE C1N 4M6
 Incorporation Date: October 29, 2004

Name: T. S. MAGNUM LTD.
 300 University Avenue
 Charlottetown, PE C1A 5J1
 Incorporation Date: November 02, 2004

Name: VOICES IN TIME INC.
 R R # 4
 North Wiltshire, PE C0A 1Y0
 Incorporation Date: November 01, 2004

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**NOTICE OF GRANTING
 SUPPLEMENTARY LETTERS PATENT**

Companies Act
 R.S.P.E.I. 1988, Cap. C-14, s.18, s.3

Public Notice is hereby given that under the *Companies Act* supplementary letters patent have been issued by the Minister to the following:

Name: 100526 P.E.I. INC.
 Purpose To increase authorized capital.
 Effective Date: November 03, 2004

Name: MILLIGAN'S FISHERIES LTD.
 Purpose To increase the authorized capital.
 Effective Date: November 03, 2004

46

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: ISLAND FRAME IT
 Owner: HARRISON INVESTMENTS INC.
 95 Trans Canada Highway
 Charlottetown, PE C1E 1E8
 Registration Date: November 01, 2004

Name: ALLIANCE PLASTICS
 Owner: MULTIQUIP LIMITED
 200 King Street West
 Suite 2300
 Toronto, ON M5H 3W5
 Registration Date: November 02, 2004

Name: PII CANADA
 Owner: GE OIL & GAS CANADA/
 PETROLE & GAZ GE CANADA
 1959 Upper Water Street, Suite 900
 Halifax, NS B3J 2X2
 Registration Date: November 02, 2004

Name: POSITIVE PROJECTS
 INTERNATIONAL
 Owner: GE OIL & GAS CANADA/
 PETROLE & GAZ GE CANADA
 1959 Upper Water Street, Suite 900
 Halifax, NS B3J 2X2
 Registration Date: November 02, 2004

Name: POSITIVE PROJECTS
 Owner: GE OIL & GAS CANADA/
 PETROLE & GAZ GE CANADA
 1959 Upper Water Street, Suite 900
 Halifax, NS B3J 2X2
 Registration Date: November 02, 2004

Name: HOME ACCESS CARPENTRY
 SERVICE
 Owner: Randal J. McNally
 R R # 1, Mt. Stewart, PE C0A 1T0
 Registration Date: November 02, 2004

Name: ISLAND BOBCAT & MINI HOE
 SERVICES
 Owner: James Patterson
 Alleys Mill Road
 Cardigan, PE C0A 1G0
 Registration Date: November 03, 2004

Name: R.C. INDUSTRIAL
 Owner: Ron Carmichael
 R R , Borden, PE C0B 1X0
 Registration Date: November 02, 2004

Name: T & T DISTRIBUTORS
 Owner: Tanya O'Regan
 1898 Kingston Road, R R # 4
 North Wiltshire, PE C0A 1Y0
 Registration Date: November 04, 2004

Name: TRAILER-PARK-BOYS PIZZA
 SPORTS BAR & RESTAURANT
 Owner: Fadia Maggie Haddad
 134 University Avenue
 Charlottetown, PE C1A 4K6
 Registration Date: November 01, 2004

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**NOTICE OF
 REVIVED COMPANIES**
 Companies Act
 R.S.P.E.I. 1988, Cap. C-14 s.73

Public Notice is hereby given that under the Companies Act the following companies have been revived:

Name: THE SOURIS HOUSING
 CO-OPERATIVE COMPANY
 LIMITED
 Effective Date: October 29, 2004

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THE CRIMINAL CODE OF CANADA

Analyst

Under authority vested in me by Section 254(1) of the *Criminal Code of Canada*, I hereby designate:

Sarena Anne McHUGH-BORDEN

who is employed as a forensic technologist in the Toxicology Services Section, Forensic Laboratory Services (Vancouver, British Columbia), as an "analyst" for the Province of Prince Edward Island for the purposes of Section 254(1) of the *Criminal Code of Canada*.

Dated this second day of November 2004.

Mildred A. Dover
 Attorney General
 Province of Prince Edward Island

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**SUPREME COURT REPORTERS ACT
 COURT REPORTERS**

PURSUANT to section 2, subsection (1) of the *Supreme Court Reporters Act*, R.S.P.E.I. 1988, Cap. S-10.1, I HEREBY DESIGNATE the following individuals as court reporters:

**Betty Egan, Charlottetown
 Susan MacLeod, Summerside**

I ALSO HEREBY DESIGNATE Betty Egan as the Chief Court Reporter.

SHOULD the above noted individuals cease to be employed in their present capacity, the designation shall terminate coincident with the date their employment terminates.

DATED this third day of November 2004.

Mildred A. Dover, Attorney General
 Province of Prince Edward Island

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**NOTICE
CHANGE OF NAME**

Be advised that a name change under the *Change of Name Act* S.P.E.I. 1997, C-59 was granted as follows:

Former Name: **Ann Patricia McCormack**
Address: 185 Queen Elizabeth Dr.
Charlottetown, PE C1A 3B2
Present Name: **Anna Aravinda**

November 8, 2004

T.A. Johnston
Director of Vital Statistics

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PART II
REGULATIONS

EC2004-619

ENVIRONMENTAL PROTECTION ACT
ENVIRONMENTAL RECORDS REVIEW REGULATIONS

(Approved by His Honour the Lieutenant Governor in Council dated 2 November 2004.)

Pursuant to section 25 of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9, Council made the following regulations:

1. In these regulations

Definitions

- (a) “Act” means the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9; Act
- (b) “associated property” means, in respect of a principal property, a property that is contiguous or adjacent to a principal property; associated property
- (c) “environmental records review” means a review conducted under subsection 3(1) of the records maintained or held by the Department respecting a principal property and associated properties listed in an application; environmental records review
- (d) “principal property” means the property that is the principal subject of an environmental records review application under subsection 2(1); principal property
- (e) “property” means a parcel of land in the province that has a property identification number assigned by the Provincial Treasury. property

2. (1) A person who wishes to request an environmental records review shall submit an application to the Minister in the form set out in the Schedule, together with the fees required by subsection (2). Application

(2) The fees for an environmental records review are payable to the Provincial Treasurer in the amount of Fees

- (a) \$50 for each principal property reviewed; and
- (b) \$20 for each associated property reviewed.

- Conduct of review **3.** (1) On receipt of an application made in accordance with section 2, the Minister shall cause an employee of the Department to conduct a review of the Department's records for the information respecting the principal property and associated properties listed in the application that is required to be reported to an applicant under subsection (2).
- Report (2) An employee of the Department who conducts a review of the Department's records pursuant to subsection (1) shall, within 15 business days, issue a report to the applicant containing the following information, if available in the Department's records, concerning the principal and associated properties listed in the application:
- (a) whether the records show that any of the properties
 - (i) contain any petroleum storage tanks,
 - (ii) contain any out of service petroleum storage tanks, or
 - (iii) previously contained any petroleum storage tanks;
 - (b) if subclause (a)(i) or (a)(ii) applies,
 - (i) the size of the petroleum storage tank,
 - (ii) whether the petroleum storage tank is or was an aboveground or underground storage tank,
 - (iii) a description of the material used in the construction of the petroleum storage tank, and
 - (iv) the year in which the petroleum storage tank was installed, and, if applicable, the year in which it was removed;
 - (c) the status of any permits, orders or approvals under the Act issued in respect of the properties including any
 - (i) orders made by the Minister,
 - (ii) orders or approvals made under section 9 of the Act,
 - (iii) excavation pit permits,
 - (iv) watercourse alteration permits, and
 - (v) air quality permits;
 - (d) whether there have been any contaminant spills affecting the properties;
 - (e) whether the records show that hazardous waste has been transported to or from the properties; and
 - (f) whether the property reviewed is entered in the contaminated site registry maintained by the Department under section 21.1 of the Act.
- Commencement **4.** These regulations come into force on November 13, 2004.

[Department logo]

SCHEDULE**FORM 1****ENVIRONMENTAL RECORDS REVIEW APPLICATION**

Personal information on this form is collected under clause 31(c) of the *Freedom of Information and Protection of Privacy Act* R.S.P.E.I. 1988, Cap. F-15.01 as it relates directly to and is necessary for a request for an environmental records review and will be used for the purpose of contacting the client. If you have any questions about this collection of personal information, you may contact the Field Supervisor, Pollution Prevention Division, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Applicant Information		
Company Name:	Phone:	
Contact Name:	Fax:	
Mailing Address:		
Community:	Province:	Postal Code:
Client Project Number (if applicable):		

Property Information	
Parcel identification numbers (PIDs) for which information is requested:	
Principal Property PIDs	Associate Property PIDs

Applicant Signature: _____ Date: _____

The fee for an environmental records review is as follows:

- \$50 for each principal property (PID); and
- \$20 for each associate property (PID).

Payment must be received before the request will be processed.

Method of Payment

(Check appropriate box)

Cheque

Money Order

Cash (hand delivery only)

Amount Enclosed: \$ _____**Please forward application and payment to:**

Department of Environment and Energy

Field Supervisor, Pollution Prevention Division

PO Box 2000, 11 Kent Street

Charlottetown, PE C1A 7N8

Fax: (902) 368-5830

Cheques and money orders should be made payable to the Provincial Treasurer.**Allow approximately three weeks for report.**

EXPLANATORY NOTES

SECTION 1 is the definitions section.

SECTION 2 deals with the application for an environmental records review and the fees payable and provides for the application form as set out in the Schedule.

SECTION 3 provides for the contents of a report in response to an application for an environmental records review.

SECTION 4 provides for the commencement of these regulations.

Certified a true copy,

W. Alexander (Sandy) Stewart
Clerk of the Executive Council

EC2004-622

**FIRE PREVENTION ACT
CODES AND STANDARDS ORDER REGULATIONS
AMENDMENT**

(Approved by His Honour the Lieutenant Governor in Council dated 2 November 2004.)

Pursuant to subsection 24(2) of the *Fire Prevention Act* R.S.P.E.I. 1988, Cap. F-11, Council, on the recommendation of the Minister, made the following regulations:

1. Clause 1(a) of the *Fire Prevention Act* Codes and Standards Order (EC16/85) is revoked and the following substituted:

- (a) 2003 edition of the National Fire Protection Association's NFPA 1 Uniform Fire Code;
- (a.1) 2003 edition of the National Fire Protection Association's NFPA 101 Life Safety Code;

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

Related electrical
and building codes

- 2.** Any provision of an electrical or building construction safety Code that is referred to in any provision of the Uniform Fire Code or Life Safety Code referred to in clauses 1(a) and (a.1)
- (a) is declared to be in force in the province; and
 - (b) shall be enforced by the Fire Marshall under the *Fire Prevention Act*,

to the extent necessary to give effect to any provision of the Uniform Fire Code or Life Safety Code that refers to the provision of such an electrical or building construction safety Code.

3. These regulations come into force on November 13, 2004

EXPLANATORY NOTES

These amendments adopt the 2003 edition of the National Fire Protection Association's NFPA 1 Uniform Fire Code and NFPA 101 Life Safety Code. As these Codes refer to various electrical and building codes, the amendments clarify that the provisions of these other codes apply only to the extent necessary to give effect to a provision of the NFPA 1 Uniform Fire Code or the NFPA 101 Life Safety Code.

Certified a true copy,

W. Alexander (Sandy) Stewart
Clerk of the Executive Council

EC2004-625

**PRINCE EDWARD ISLAND LANDS PROTECTION ACT
EXEMPTION REGULATIONS
AMENDMENT**

(Approved by His Honour the Lieutenant Governor in Council dated 2 November 2004.)

Pursuant to subsection 17(1) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council made the following regulations:

1. The *Prince Edward Island Lands Protection Act Exemption Regulations (EC368/88)* are amended by the addition of the following after section 28:

29. The following properties being acquired by the Atlantic Lottery Corporation Inc. and totalling approximately 26.90 acres a little more or less are exempt from the application of section 5 of the Act:

- (a) property at Charlottetown, owned by the Charlottetown Driving Park and Provincial Exhibition Association, approximately 22.34 acres, having Provincial Property Number 278739;
- (b) property at Charlottetown, owned by the Charlottetown Driving Park and Provincial Exhibition Association, approximately 4.52 acres, having Provincial Property Number 365684;

Atlantic Lottery
Corporation

(c) property at Charlottetown owned by the Government of Prince Edward Island and the P.E.I. Canada Games Complex Inc., approximately 233 feet by 8 feet, being part of Provincial Property Number 278739.

2. These regulations come into force on November 2, 2004.

EXPLANATORY NOTES

These amendments to the regulations exempt the properties listed from section 5 of the *Prince Edward Island Lands Protection Act*.

Certified a true copy,

W. Alexander (Sandy) Stewart
Clerk of the Executive Council

EC2004-632

**OCCUPATIONAL HEALTH AND SAFETY ACT
REGULATIONS
AMENDMENT**

(Approved by His Honour the Lieutenant Governor in Council dated 2 November 2004.)

Pursuant to section 46 of the *Occupational Health and Safety Act* R.S.P.E.I. 1988, Cap. O-1.01, Council made the following regulations:

1. The title of the *Occupational Health and Safety Act Regulations* (EC180/87) is amended by the addition of the word “GENERAL” before the word “REGULATIONS”.

2. The regulations are amended by the addition of the following after section 1.6:

Application of
Regulations

1.7 (1) These regulations do not apply to a workplace that is an agricultural operation conducted on farmland.

Application of Act

(2) The Act does not apply to a workplace that is an agricultural operation conducted on farmland.

Definitions

(3) In this section,

agricultural
operations

(a) “agricultural operation” includes the production activity conducted, or service provided, by a bona fide farmer in relation to

- (i) berry farming,
- (ii) Christmas tree culture,

- (iii) dairy farming,
- (iv) egg farming,
- (v) grain and oilseed production,
- (vi) orchards,
- (vii) poultry farming,
- (viii) a riding academy or the boarding or breeding of horses,
- (ix) seed production,
- (x) sod or turf production,
- (xi) vegetable farming,
- (xii) wool, hide, feather or fur production, and
- (xiii) the raising of crops or animals for human or animal consumption,

but does not include

- (xiv) the production of agricultural byproducts or of manufactured derivatives from agricultural raw material,
- (xv) the breeding or raising of pets other than horses, or
- (xvi) aquaculture;

(b) “bona fide farmer” means

bona fide farmer

- (i) an individual who owns a farm and
 - (A) is actively engaged in farming, and
 - (B) earns at least 25 per cent of the individual’s gross annual income from farming,
- (ii) a corporation who owns a farm and
 - (A) is registered in the province,
 - (B) is actively engaged in farming, and
 - (C) earns at least 25 per cent of the corporation’s gross annual income from farming, or
- (iii) a partnership that owns a farm and
 - (A) is registered in the province,
 - (B) is actively engaged in farming, and
 - (C) earns at least 25 per cent of the partnership’s gross annual income from farming;

(c) “farmland” means land used for an agricultural operation.

farmland

(4) This subsection and subsection (2) are revoked on December 31, 2006.

Revocation

1.8 A duty or requirement that is imposed on an employer or a worker under these regulations applies to a self-employed person, with such modifications as the circumstances require.

Self-employed person

3. The heading before section 16.1 and sections 16.1 to 16.9 of the regulations are revoked.

4. The heading before section 17.1 and sections 17.1 to 17.5 of the regulations are revoked.

5. The heading before section 39.1 and sections 39.1 to 39.5 of the regulations are revoked.

6. The heading before section 45.21 and section 45.21 of the regulations are revoked.

7. The heading before section 45.22 and sections 45.22 and 45.23 of the regulations are revoked.

8. Section 51.3 of the regulations is revoked.

9. These regulations come into force November 13, 2004.

EXPLANATORY NOTES

These amendments extend the application of the regulations to workplaces where fewer than three persons are employed. These amendments also clarify that the Act and the regulations do not apply to a workplace that is an agricultural operation conducted on farmland.

Certified a true copy,

W. Alexander (Sandy) Stewart
Clerk of the Executive Council

EC2004-633

OCCUPATIONAL HEALTH AND SAFETY ACT FALL PROTECTION REGULATIONS

(Approved by His Honour the Lieutenant Governor in Council dated 2 November 2004.)

Pursuant to section 46 of the *Occupational Health and Safety Act* R.S.P.E.I. 1988, Cap. O-1.01, Council made the following regulations:

Definitions	1. (1) In these regulations
Act	(a) “Act” means the <i>Occupational Health and Safety Act</i> ;
anchor point	(b) “anchor point” means a secure point of attachment for a lifeline or lanyard;
ANSI	(c) “ANSI” means the American National Standards Institute;
arborist	(d) “arborist” means a worker trained and employed, in whole or in part, to climb trees for any economic or scientific purpose, including <ul style="list-style-type: none"> (i) detection and treatment of disease, infections or infestations, (ii) pruning, spraying or trimming,

- (iii) repairing damaged trees,
 (iv) assessing growth or harvesting potential, or
 (v) scientific research;
- (e) “CGSB” means the Canadian General Standards Board; CGSB
- (f) “CSA” means the Canadian Standards Association; CSA
- (g) “competent person” means a person who is competent person
 (i) qualified because of that person’s knowledge, training and experience to do the assigned work in a manner that will ensure the health and safety of persons in the workplace, and
 (ii) knowledgeable about the provisions of the Act and the regulations that apply to the assigned work, and about potential or actual danger to health or safety associated with the assigned work;
- (h) “debris net” means a net that is used to catch material and debris that can drop from work areas; debris net
- (i) “fall arrest system” means a system of physical components attached to a worker that stops a worker during a fall; fall arrest system
- (j) “full body harness” means a harness consisting of leg and shoulder straps and an upper back suspension unit that will distribute and reduce the impact force of any fall; full body harness
- (k) “guardrail” means a temporary system of vertical and horizontal members that warn of a fall hazard and reduce the risk of a fall; guardrail
- (l) “lanyard” means a flexible line used to secure a worker to a lifeline, a static line or a fixed anchor point; lanyard
- (m) “lifeline” means a vertical line attached to a fixed anchor point or a static line and to which a lanyard and a ropegrab may be attached; lifeline
- (n) “means of fall protection” means a harness, net, rope, safety belt, structure or other equipment, or device or means of means of fall protection
 (i) restraining a worker who is at risk of falling, or
 (ii) stopping a worker who has fallen;
- (o) “personnel safety net” means a net that is used to catch a worker during a fall; personnel safety net
- (p) “practicable” means physically possible in light of current knowledge and invention; practicable
- (q) “reasonably practicable” means practicable unless the person on whom a duty is placed can show that there is a gross disproportion between the benefit of the duty and the cost, in time, trouble and money, of the measures to secure the duty; reasonably practicable
- (r) “ropegrab” means a mechanical fall-arrest device that ropegrab
 (i) is attached to a lifeline and a lanyard, and

	(ii) locks itself immediately on the lifeline in the event of a fall;
safe means of access and egress	(s) "safe means of access and egress" means equipment or a structure that is built to prevent falls by workers entering or leaving a work area;
safe surface	(t) "safe surface" means a surface at a workplace that (i) has sufficient size and strength to adequately support a worker who falls on to the surface, and (ii) is sufficiently horizontal to prevent a further fall from the surface by a worker who has fallen on to the surface;
safety belt	(u) "safety belt" means a belt worn by a worker as a means of fall protection;
softener	(v) "softener" means padding or hoses that are used with a lifeline or static line to prevent a rope from being cut or chafed;
static line	(w) "static line" means a rope (i) that is attached horizontally to two or more fixed anchor points, and (ii) to which a fall arrest system is attached;
temporary flooring	(x) "temporary flooring" means a horizontal working surface that (i) is designed to give access to areas that do not have permanent flooring, and (ii) will prevent a worker from falling;
work area	(y) "work area" means a location at the workplace at which an worker is, or may be required or permitted to be, stationed and includes a work platform;
work platform	(z) "work platform" means a temporary horizontal working surface that provides access to a work area and support to a worker at the work area.
Inconsistencies with incorporated standards	(2) Where there is an inconsistency between a provision of these regulations and a standard or a manufacturer's specification incorporated by reference in these regulations and a requirement of this Part, the provision of these regulations prevails to the extent of the inconsistency.
Self-employed person	(3) A duty or requirement that is imposed on an employer or a worker under these regulations applies to a self-employed person, with such modifications as the circumstances require.
Measurements of lumber	(4) Measurements of lumber in these regulations are nominal for dressed dimensions, unless rough lumber or dimensions are specified.

GENERAL REQUIREMENTS

Employer required to provide means of fall protection	2. (1) Where a worker is exposed to the hazard of falling from a work area that is (a) 3 m or more above the nearest safe surface or water;
---	---

- (b) above a surface or thing that could cause injury to the worker if the worker were to fall on the surface or thing; or
 - (c) above an open tank, pit or vat containing hazardous material,
- the employer of the worker shall ensure that
- (d) the worker is provided with a fall arrest system that meets the requirements of section 3;
 - (e) a guardrail that meets the requirements of section 4 is constructed or installed at the work area;
 - (f) a personnel safety net that meets the requirements of section 6 is installed at the work area;
 - (g) temporary flooring that meets the requirements of section 9 is constructed or installed at the work area; or
 - (h) the worker is provided with another means of fall protection that provides a level of safety equal to or greater than a fall arrest system that meets the requirements of section 3.

(2) Where, in accordance with subsection (1), an employer provides a worker with a fall arrest system, or with another means of fall protection that includes a harness, safety belt or other item that is designed to be worn by the worker using it, the worker shall wear the fall arrest system or means of fall protection while the worker is in the work area.

Worker to wear fall arrest system or other means of fall protection

(3) Where a worker is entering or exiting a work area by a safe means of access and egress, subsections (1) and (2) do not apply to the worker or the employer of the worker.

Exception

(4) Notwithstanding subsections (1) and (2), where, at a work area,

- (a) a worker must perform work on or from a vehicle or other mobile equipment;
- (b) it is only practicable for a worker to perform work from a ladder and it is not practicable for the worker to maintain three points of contact while performing the work from the ladder; or
- (c) a worker who is an arborist must perform work from a tree and the density of tree branches prevents the arborist from crotching,

the employer of the worker shall provide a means of fall protection, and the worker shall wear it if it may be worn, only where and to the extent that is reasonably practicable.

Idem

FALL ARREST SYSTEMS

3. (1) A fall arrest system that is provided, in accordance with subsection 2(1), to a worker at a work area as a means of fall protection shall

Fall arrest systems

- (a) be adequately secured to
 - (i) an anchor point, or
 - (ii) a lifeline that is
 - (A) securely fastened to an anchor point, or
 - (B) attached to a static line that is securely fastened to an anchor point that is capable of withstanding either the

maximum load likely to be imposed on the anchor point or a load of 17.8 kN, whichever is greater;

- (b) include a lanyard
 - (i) that is attached to an anchor point or lifeline, where practicable, above the shoulder of the worker, and
 - (ii) that complies with CSA Standard Z259.1-95 Safety Belts and Lanyards;
- (c) prevent a free fall greater than 1.22 m where
 - (i) the fall arrest system is not equipped with a shock absorption system that complies with CSA Standard Z259.11-M92 Shock Absorbers for Personal Fall-Arrest Systems and that reduces the shock level of any fall to less than 4 kN, or
 - (ii) the combined free fall and shock absorbed deceleration distance exceeds the distance between the work area and a safe surface; and
- (d) include a full body harness that
 - (i) is attached to a lanyard,
 - (ii) is adjusted to fit the user of the harness, and
 - (iii) complies with CSA Standard Z259.10-M90 Full Body Harnesses.

Lifelines –
requirements

(2) Where a fall arrest system provided to a worker includes a lifeline, the lifeline shall

- (a) comply with CSA Standard Z259.2.1-98 Fall Arresters, Vertical Lifelines and Rails;
- (b) extend to a safe surface below the work area;
- (c) be secured at the bottom of the lifeline to prevent tangling or disturbance of the line;
- (d) be securely attached to an anchor point;
- (e) be free of knots, lubricants and imperfections;
- (f) be free of splices, except as are necessary to connect the lifeline to an anchor point;
- (g) be provided with softeners at all sharp edges or corners to protect against cuts or chafing; and
- (h) be clearly identified as a lifeline by colour or by another means that provides an equivalent level of safety.

Lifelines -
restrictions

(3) No worker shall

- (a) use a lifeline in a fall arrest system while that fall arrest system is being used by another worker; or
- (b) provide a rope for use, or permit a rope to be used, as a lifeline in a fall arrest system if the rope has been used for another purpose.

Ropegabs

(4) Where a fall arrest system provided to a worker includes a ropegab, the ropegab used shall comply with CSA Standard Z259.2.1-98 Fall Arresters, Vertical Lifelines and Rails.

- (5) An employer who provides a worker with a fall arrest system shall ensure the fall arrest system is inspected by a competent person prior to each work shift undertaken by the worker. Inspection
- (6) A competent person who carries an inspection of a fall arrest system shall advise the employer as to whether any of the components of the fall arrest system are defective in condition or function. Employer to be advised of defective components
- (7) Where an employer is advised by a competent person that any of the components of a fall arrest system are defective in condition or function, the employer shall ensure that the fall arrest system is not used until every defective component is replaced or repaired. Removal from service where defective
- (8) Where a fall arrest system has arrested the fall of a worker at a work area, the employer of the worker shall ensure that the fall arrest system
- (a) is removed from service and inspected by a competent person; and
 - (b) is repaired, before it is reused, to the original manufacturer's specifications, if the inspection of the competent person reveals that any component of the fall arrest system is defective.
- (9) Where a fall arrest system provided to a worker includes a static line, the static line shall Static lines
- (a) have a nominal diameter of at least 12.7 mm;
 - (b) be equipped with vertical supports at least every 9 m;
 - (c) have a maximum deflection, when taut, of no greater than 381 mm for a 9 m span;
 - (d) be equipped with turnbuckles or other comparable tightening devices that provide an equivalent level of protection, at the ends of the static line;
 - (e) be made of Improved Plow Wire Rope;
 - (f) be equipped with softeners at all sharp edges or corners to protect against cuts or chafing;
 - (g) be made only of components that are able to withstand either the maximum load likely to be imposed on the components or a load of 8 kN, whichever is greater; and
 - (h) comply with CSA Standard Z259.13-04 Flexible Horizontal Lifeline Systems and CSA Standard Z259.16-04 Design of Active Fall Protection Systems.
- (10) Where a fall arrest system is provided to a worker who is an arborist, the fall arrest system shall Fall arrest systems for arborists
- (a) include a tree climbing or tree trimming harness or saddle;
 - (b) be adequately secured to
 - (i) an anchor point, or
 - (ii) a lifeline that is
 - (A) securely fastened to an anchor point, or
 - (B) attached to a static line that is securely fastened to an anchor point;

- (c) include a climbing rope or safety strap;
- (d) where practicable, include a second climbing rope or safety strap that
 - (i) provides additional stability, and
 - (ii) back-up fall protection; and
- (e) be capable of withstanding either the maximum load likely to be imposed or a load of 17.8 kN, whichever is greater.

- Fall protection plan (11) Where an employer uses a fall arrest system or a personnel safety net as a means of fall protection, the employer shall have a written fall protection plan that specifies
- (a) the procedure to assemble, maintain, inspect, use and disassemble the fall arrest system or personnel safety net; and
 - (b) the procedure for the rescue of a worker who has fallen and is suspended by the fall arrest system or personnel safety net, but is unable to effect self rescue.

GUARDRAILS

- Construction and installation requirements
4. (1) A guardrail that is constructed or installed at a work area, in accordance with subsection 2(1), shall
- (a) extend around
 - (i) any uncovered opening in a floor or other surface, and
 - (ii) the perimeter or other open side of a floor, mezzanine, balcony or other surface, at the work area from which a worker may be exposed to the hazards of a fall described in clauses 2(1)(a) to (c);
 - (b) have posts that
 - (i) are spaced at intervals of not more than 2.4 m; and
 - (ii) are secured against movement by the attachment of the posts to the structure under construction or that is otherwise being worked on, or by another means that provides an equivalent level of safety;
 - (c) have a top railing that is between 0.91 and 1.06 m above the surface of the protected working area and that is securely fastened to posts secured in compliance with subclause (b)(ii);
 - (d) have a toeboard, securely attached to the posts and the structure to which the posts are secured, extending from the base of the posts to a height of 102 mm; and
 - (e) have an intermediate railing on the inner side of the posts midway between the top railing and the toeboard.
- Wooden guardrails (2) Where a wooden guardrail is constructed or installed at a work area, the guardrail shall, in addition to the requirements of subsection (1),
- (a) have top and intermediate railings and posts that are at least 51 mm by 102 mm;
 - (b) have a toeboard that is at least 25 mm by 75 mm; and
 - (c) be made of
 - (i) Grade Two or better spruce, or

(ii) other lumber that provides an equivalent level of safety to the type of lumber referred to in subclause (i).

(3) Where a guardrail that is constructed or installed at a work area has wire rope railings, the guardrail shall, in addition to the requirements of subsection (1),

Wire rope railings

- (a) have top and intermediate railings that are at least 8 mm in diameter;
- (b) be identified with high visibility markings placed every 1.5 m on the top railing; and
- (c) have top and intermediate railings that are equipped with turnbuckles or other means that provide adequate tension to ensure an equivalent level of protection to that provided by the wooden railings required under subsection (2).

(4) Notwithstanding anything to the contrary in subsection (1), an employer may have a manufactured guardrail installed or constructed at a work area if it provides an equivalent level of protection to that provided by a wooden guardrail that complies with the requirements of subsections (1) and (2).

Manufactured guardrails

5. Where, at a work area,

Building shafts

- (a) there is no work platform installed at the level of a doorway or opening in a building shaft; and
- (b) the employer is required by these regulations to have a guardrail constructed or installed at the work area,

the employer shall ensure that the guardrail is marked with a warning sign that indicates the presence of an open building shaft.

NETS

6. (1) Where an employer has a personnel safety net installed at a work area, in accordance with subsection 2(1), the employer shall ensure that

Personnel safety nets

- (a) the personnel safety net is installed not more than 4.6 m below the work area;
- (b) the personnel safety net extends 2.4 m on all sides beyond the work area;
- (c) the personnel safety net is installed and maintained so that the maximum deflection when arresting the fall of a worker does not allow any portion of the worker to contact another surface;
- (d) the personnel safety net is installed to ensure that no obstructions or intervening members may be struck by a worker during a fall between the work area and the personnel safety net; and
- (e) if the personnel safety net is connected to one or more other personnel safety nets, the splice joints connecting it with the other personnel safety nets are equal or greater in strength to the strength of the weakest of these personnel safety nets.

(2) Subject to subsection (1), an employer who has a personnel safety net installed at a work area shall insure it is manufactured, used,

Manufacture, use, etc.

maintained, inspected and stored in accordance with ANSI Standard A10.11-1989 Safety Nets Used During Construction, Repair and Demolition Operations.

Debris nets

7. (1) Where a worker having access to an area below an elevated work area is exposed to the hazard of falling objects or debris from the work area, the employer of the worker shall ensure that

- (a) a debris net is installed below the work area in accordance with subsection (2); or
- (b) some other means of protection is provided that provides an equivalent level of protection from falling objects and debris.

Manufacture, use, etc.

(2) An employer who, in accordance with subsection (1), has a debris net installed below an elevated work area shall ensure it

- (a) is manufactured, used, maintained, inspected and stored in accordance with ANSI Standard A10.11-1989 Safety Nets Used During Construction, Repair and Demolition Operations; and
- (b) is installed not more than 4.6 m below the elevated work area.

SAFETY BELTS

Standards

8. Where an employer provides a safety belt to a worker, in accordance with subsection 2(1), the employer shall ensure that the safety belt complies with

- (a) CSA Standard Z259.1-95 Safety Belts and Lanyards; or
- (b) CSA Standard Z259.3-M1978 Lineman's Body Belt and Lineman's Safety Strap.

TEMPORARY FLOORING

Requirements

9. Where temporary flooring is constructed or installed at a work area, in accordance with subsection 2(1), it shall

- (a) be constructed or installed at each floor level of the work area where work is in progress;
- (b) extend over the whole work area except for any openings necessary for the carrying out of work;
- (c) be able to withstand four times the maximum load likely to be imposed on it; and
- (d) be securely fastened to and supported on members that are able to withstand four times the maximum load likely to be imposed on them.

MEASURES REQUIRED WHERE RISK OF DROWNING

Risk of drowning

10. (1) Where a worker is exposed to the hazard of falling from a work area and there is a risk of drowning if the worker does fall, the employer shall

- (a) provide to the worker a personal floatation device where the work area is less than 3 m above the surface of the water;
- (b) provide rescue equipment that includes

- (i) an adequate boat to ensure a safe and timely rescue,
(ii) a life buoy attached with 15 m of rope that is at least 10 mm in diameter and that is made from polypropylene or other material that provides an equivalent level of protection,
(iii) a boat hook,
(iv) an audible alarm system to notify of an accident and to initiate the rescue procedure; and
- (c) ensure that workers who are
- (i) designated to perform specific rescue tasks,
(ii) properly informed as to the proper rescue procedures, and
(iii) trained in the use of the rescue equipment in order to perform rescue operations in a safe manner,
are available in such numbers as are needed in the circumstances to perform rescue operations safely.
- (2) Where, in accordance with subsection (1), an employer provides a worker with a personal floatation device, the worker shall wear the personal floatation device while the worker is in the work area. Worker to wear personal floatation device
- (3) The employer shall ensure that a personal floatation device provided to a worker complies with CGSB Standard 65.11-M88 Personal Floatation Devices. Personal floatation device
- (4) Where work is being performed above water that has a fast current and where it is practicable, an employer shall ensure that a line is placed across the water that Work performed over fast current
- (a) is at least 10 mm in diameter or is made of polypropylene or other material that provides an equivalent level of protection; and
(b) has a buoy or some other floatation device attached.
- (5) For greater certainty, an employer is not required to provide a worker with a personal floatation device under subsection (1) where the worker is protected by a means of fall protection in accordance with subsection 2(1). *Idem*
- 11.** These regulations come into force on November 13, 2004. Commencement

EXPLANATORY NOTES

SECTION 1 provides definitions for words used in these regulations.

SECTION 2 explains when fall protection must be provided by employers and worn by workers.

SECTION 3 sets out the requirements for fall arrest systems provided by employer as a means of fall protection.

SECTIONS 4 and 5 set out the construction and installation requirements of guardrails.

SECTIONS 6 and 7 set out the requirements governing the use of safety nets.

SECTION 8 sets out the requirements governing the use of safety belts.

SECTION 9 sets out the requirements governing the use of temporary flooring.

SECTION 10 sets out when the use of a personal floatation device is necessary and the rescue equipment that must be provided by employer.

SECTION 11 provides for the commencement of these regulations.

Certified a true copy,

W. Alexander (Sandy) Stewart
Clerk of the Executive Council

PART II
REGULATIONS INDEX

Chapter Number	Title	Original Order Reference	Amendment	Authorizing Order and Date	Page
E-9	Environmental Protection Act Environmental Records Review Regulations		[new] [eff] Nov. 13/04	EC2004-619 (02.11.04)	219-222
F-11	Fire Prevention Act Codes and Standards Order	EC16/85	s.1(a) [R&S] s.1(a.1) [added] s.2 [R&S] [eff] Nov. 13/04	EC2004-622 (02.11.04)	222-223
L-5	Prince Edward Island Lands Protection Act Exemption Regulations	EC368/88	s.29 [added] [eff] Nov. 2/04	EC2004-625 (02.11.04)	223-224
O-1.01	Occupational Health and Safety Act Regulations Retitled: General Regulations	EC180/87	Title Change s.1.7 [added] s.1.8 [added] s.16.1-16.9 [rev] s.17.1-17.5 [rev] s.39.1-39.5 [rev] s.45.21-45.23 [rev] s.51.3 [rev] [eff] Nov. 13/04	EC2004-632 (02.11.04)	224-226
O-1.01	Fall Protection Regulations		[new] [eff] Nov. 13/04	EC2004-633 (02.11.04)	226-236