

EC2003-325**FINANCIAL ADMINISTRATION ACT
POWNAL SPORTS CENTRE
GUARANTEE OF LOAN**

Having under consideration the recommendation of Treasury Board (reference Minute TB#93/03 of 4 June 2003), pursuant to subsection 32(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council agreed to guarantee payment of a bridge financing loan by Pownal Sports Centre (hereinafter referred to as "the borrower") in an amount not exceeding two million dollars (\$2,000,000.00) (hereinafter referred to as the "guaranteed indebtedness") together with interest thereon at the rate of prime plus one half of one percent to Metro Credit Union of Stratford, Prince Edward Island (hereinafter referred to as "the lender"), from the 24th day of June 2003 through to and including 1700 hours on the 31st day of December 2005, the said guarantee to be subject to and conditional upon the following terms and conditions:

1. The guaranteed indebtedness, including interest, shall be due and payable in full by the borrower no later than the 31st day of December 2005.
2. Any advances made by the lender after the 31st day of December 2005 shall not form part of the guaranteed indebtedness.
3. The guarantee shall absolutely expire and be null and void without notice to the lender at 1700 hours on the 31st day of December 2005 regardless of any advances that may have been made by the lender to the borrower unless on or before the 31st day of December 2005, notice has been given to the Government of Prince Edward Island, as represented by the Provincial Treasurer that the borrower has defaulted in repayment of the guaranteed indebtedness to the lender, and calling upon the Provincial Treasurer to pay the lender pursuant to the guarantee. The written notice shall include a copy of the written demand given by the lender to the borrower calling upon the borrower to pay the balance in full.
4. Government shall be entitled at any time to terminate the guarantee by paying to the lender such amount of the guaranteed indebtedness as may be owing by the borrower to the lender and the lender shall assign to the government all security the lender holds in connection with the guaranteed indebtedness.
5. The Provincial Treasurer may add such further terms and conditions to the guarantee as she considers appropriate.

6. The guarantee shall not become effective until the lender has agreed in writing to the terms and conditions herein contained and those imposed by the Provincial Treasurer pursuant to paragraph 5 above. The guaranteed indebtedness shall not include any advances made by the lender prior to the agreement by the lender with the terms and conditions herein contained and those imposed by the Provincial Treasurer.

EC2003-326

**FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2003/2004)
EMPLOYMENT DEVELOPMENT AGENCY**

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund for the Employment Development Agency as follows:

| Account Class | Account Name | Amount |
|----------------------|--|-----------------------|
| | JOB CREATION AND PLACEMENT Special Projects | |
| 0081-04203 | Grants - Community Job Creation Projects | <u>\$1,500,000.00</u> |

EC2003-327

**FOREST MANAGEMENT ACT
FOREST RENEWAL PROGRAM REGULATIONS
AMENDMENT**

Pursuant to section 25 of the *Forest Management Act* R.S.P.E.I. 1988, Cap. F-14, Council made the following regulations:

1. Clause 1(c) of the *Forest Management Act* Forest Renewal Program Regulations (EC189/96) is revoked and the following substituted:

(c) "Forestry and Land Resource Modelling Division" means the Forestry and Land Resource Modelling Division of the Department; Forestry and Land Resource Modelling Division

2. In the following provisions, the words "Forestry Division" are deleted and the words "Forestry and Land Resource Modelling Division" are substituted:

(a) clause 3(2)(d); and

(b) section 9.

3. Clause 4(1)(c) of the regulations is revoked and the following substituted:

(c) on a quarterly basis, pay to the Forestry and Land Resource Modelling Division \$2 per cord for each cord of roundwood softwood or \$1 per tonne for roundwood softwood or pulpwood chips that the company purchased, acquired or exchanged from woodlands in the province excluding only that wood which was custom sawn for the personal use of the owner of the softwood logs, and together with such payments file an accurate report in such manner as the Minister may require; and

4. Section 10 of the regulations is revoked.

5. These regulations come into force on July 5, 2003.

EXPLANATORY NOTES

SECTIONS 1 and 2 delete references to the "Forestry Division" and substitute references to the "Forestry and Land Resource Modelling Division".

SECTION 3 provides for the payment of fees, in support of the Forest Renewal Program, to the Forestry and Land Resource Modelling Division by forestry processing companies.

SECTION 4 revokes a provision providing for the termination of the regulations.

SECTION 5 provides for the commencement of these regulations.

EC2003-328

AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT DECLARATION RE

Under authority of section 13 of *An Act to Amend the Highway Traffic Act* Stats. P.E.I. 2002, 4th Session, c. 13 Council ordered that a Proclamation do issue proclaiming sections 6 and 7 of "*An Act to Amend the Highway Traffic Act*" to come into force effective 5 July 2003.

EC2003-329

HIGHWAY TRAFFIC ACT BICYCLE SAFETY HELMET REGULATIONS

Pursuant to section 312 of the of the *Highway Traffic Act*, R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

1. In these regulations "Act" means the *Highway Traffic Act* R.S.P.E.I. Act 1988, Cap. H-5.

2. (1) For the purposes of clause 194(2)(a.1) and section 194.1 of the Act, a bicycle safety helmet worn by a person who is riding a bicycle or a passenger of a bicycle must

Bicycle safety
helmet standards

(a) meet the standards for bicycle safety helmets in effect on the date on which it was manufactured that are prescribed by one of the following:

(i) Canadian Standards Association standard CAN/CSA D113.2-M89 (Cycling Helmets), as amended from time to time;

(ii) Snell Memorial Foundation standard B-95 (1995 Standard For Protective Headgear For Use With Bicycles), as amended from time to time;

(iii) Snell Memorial Foundation standard B-90 (1990 Standard For Protective Headgear For Use With Bicycles), as amended from time to time;

(iv) Snell Memorial Foundation standard B-90S (1994 Supplementary Standard For Protective Headgear For Use With Bicycles), as amended from time to time;

(v) Snell Memorial Foundation standard N-94 (1994 Standard For Protective Headgear For Use in Non-Motorized Sports), as amended from time to time;

(vi) American Society for Testing and Materials standard ASTM F 1447-94 (Standard Specification For Protective Headgear for Use in Bicycling), as amended from time to time;

- (vii) American National Standards Institute standard ANSI Z90.4-1984 (American National Standard For Protective Headgear for Use in Bicycling), as amended from time to time;
- (b) have a smooth outer surface;
- (c) be constructed so that the helmet is capable of absorbing energy on impact;
- (d) be strongly attached to a strap designed to be fastened under the chin of the person wearing it;
- (e) be undamaged from use or misuse;
- (f) have a label showing that the helmet meets one of the standards set out in clause (a); and
- (g) properly fit the person wearing it.

(2) A reference in clause (a) to a standard as amended from time to time means any amendment made to the standard on or after the coming into force of these regulations. *Idem*

(3) The Registrar may, on application by a person in Form 1 of the Schedule, issue a bicycle safety helmet exemption certificate in Form 2 of the Schedule if the Registrar is satisfied that the person *Exemption certificate*

- (a) has a head measurement that exceeds 64 cm in circumference; or
- (b) should not be required, for any reason satisfactory to the Registrar, to wear a bicycle safety helmet.

(4) A person who holds a bicycle safety helmet exemption certificate issued by the Registrar is not required to wear a bicycle safety helmet. *Idem*

(5) A bicycle safety helmet exemption certificate issued under subsection (3) expires five (5) years from the date of issue stated in the certificate unless the certificate is previously terminated or cancelled by the Registrar. *Expiry*

3. These regulations come into force on July 5, 2003. *Commencement*

**SCHEDULE
FORM 1
EXEMPTION APPLICATION FOR
BICYCLE SAFETY HELMET EXEMPTION CERTIFICATE**

PLEASE PRINT

| | | | |
|------------------|----------------|-----------|---------------------------------------|
| FIRST NAME | MIDDLE INITIAL | LAST NAME | BIRTH DATE <small>DD/MM/YY</small> |
| RESIDING ADDRESS | | | POSTAL CODE |
| Phone () | Fax () | Email | |

NOTE

The Registrar may, on application by a person, issue a bicycle safety helmet exemption certificate if the Registrar is satisfied that the person

- (a) has a head measurement that exceeds 64 cm in circumference; or
- (b) should not be required, for any reason satisfactory to the Registrar, to wear a bicycle safety helmet.

| | |
|---|--|
| RECOMMENDATIONS TO THE REGISTRAR - READ CAREFULLY | |
| PLEASE INDICATE WHETHER IT APPLIES: HEAD MEASUREMENT _____ SIGNATURE OF APPLICANT _____ DATE _____ | |

FORM 2

PRINCE EDWARD ISLAND DEPARTMENT OF TRANSPORTATION &
PUBLIC WORKS
HIGHWAY SAFETY OPERATIONS

BICYCLE SAFETY HELMET EXEMPTION CERTIFICATE

THIS IS TO CERTIFY THAT:

Name: _____

Address: _____

Date of Birth: _____

day month year

IS EXEMPT FROM WEARING A BICYCLE SAFETY HELMET
UNDER CLAUSE 194(2)(a.1) AND SECTION 194.1 OF THE *HIGHWAY TRAFFIC ACT*

REASON: HEAD SIZE _____
 OTHER _____ Specify

DATE OF ISSUE: _____

Signature of Registrar _____

Certificate valid for 5 years from date of issue.

EXPLANATORY NOTES

SECTION 1 denotes the Act under which these regulations are made.

SECTION 2 outlines bicycle safety helmet standards and provides for exemptions from the requirement to wear a bicycle safety helmet.

SECTION 3 provides for the commencement of these regulations.

EC2003-330

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JO-ANN E. LORETO
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Jo-Ann E. Loreto of Pickering, Ontario to acquire a land holding of approximately zero decimal seven (0.7) acres of land in Lot 65, Queens County, Province of Prince Edward Island, being acquired from the Estate of Mary Catherine Coyle of Charlottetown, Prince Edward Island.

EC2003-331

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JO-ANN E. LORETO
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Jo-Ann E. Loreto of Pickering, Ontario to acquire a land holding of approximately eight (8) acres of land in Lot 65, Queens County, Province of Prince Edward Island, being acquired from the Estate of Mary Catherine Coyle of Charlottetown, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2003-332

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
COLIN MACDONALD
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Colin MacDonald of Bedford, Nova Scotia to acquire an interest in a land holding of approximately seventy-five (75) acres of land in Lot 58, Queens County, Province of Prince Edward Island, being acquired from Alexander G. Campbell of Iona, Prince Edward Island.

EC2003-333

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
BODO MORGENSTERN
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Bodo Morgenstern of Montreal, Quebec to acquire an interest in a land holding of approximately zero decimal seven one (0.71) acres of land in Lot 24, Queens County, Province of Prince Edward Island, being acquired from Herbert Korthoff of Stellenboach, Republic of South Africa.

EC2003-334

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

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to A.J.L. Ltd. of St. Philip, Prince Edward Island to acquire a land holding of approximately two decimal nine nine (2.99) acres of land in Lot 16, Prince County, Province of Prince Edward Island, being acquired from Francis Arsenault and Norma Arsenault, both of Wellington, Prince Edward Island.

EC2003-335

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

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to A.J.L. Ltd. of St. Philip, Prince Edward Island to acquire a land holding of approximately eight (8) acres of land in Lot 13, Prince County, Province of Prince Edward Island, being acquired from Brian Hill and Wayne Hill, both of Summerside, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said A.J.L. Ltd. and on all successors in title.

EC2003-336

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

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to A.J.L. Ltd. of St. Philip, Prince Edward Island to acquire a land holding of approximately twenty-two (22) acres of land in Lot 14, Prince County, Province of Prince Edward Island, being acquired from Alyre Arsenault of St. Philip, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2003-337

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

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to A.J.L. Ltd. of St. Philip, Prince Edward Island to acquire a land holding of approximately one hundred and twenty-four decimal five (124.5) acres of land in Lots 14, 15 and 16, Prince County, Province of Prince Edward Island, being acquired from Alyre Arsenault of St. Philip, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said A.J.L. Ltd. and on all successors in title.

EC2003-338

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
A.S. MACSWAIN & SONS INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to A.S. MacSwain & Sons Inc. of Morell, Prince Edward Island to acquire a land holding of approximately ninety-four decimal zero nine (94.09) acres of land in Lot 41, Kings County, Province of Prince Edward Island, being acquired from Garrett Farms Ltd. of Forest Hill, Prince Edward Island.

Further, Council noted that the said land holdings, being Provincial Property Nos. 411033 and 812891 were previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

EC2003-339

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HOPE RIVER ENT. INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Hope River Ent. Inc. of Kensington, Prince Edward Island to acquire a land holding of approximately two hundred and eleven decimal eight four (211.84) acres of land in Lots 21 and 22, Queens County, Province of Prince Edward Island, being acquired from MacEwen Farms Ltd. of Kensington, Prince Edward Island.

Further, Council noted that part of the said land holding, being Provincial Property Nos. 815902 and 92536, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

EC2003-340

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
INTERBOCO INDUSTRIES INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Interboco Industries Inc. of Montreal, Quebec to acquire a land holding of approximately zero decimal seven one (0.71) acres of land in Lot 24, Queens County, Province of Prince Edward Island, being acquired from Herbert Korthoff of Stellenboach, Republic of South Africa.

EC2003-341

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
NILU HOLDINGS LIMITED
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Nilu Holdings Limited of Bedford, Nova Scotia to acquire a land holding of approximately seventy-five (75) acres of land in Lot 58, Queens County, Province of Prince Edward Island, being acquired from Alexander G. Campbell of Iona, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2003-342

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 228197, LOT 31, QUEENS COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately twenty-eight decimal five (28.5) acres of land, being Provincial Property No. 228197 located in Lot 31, Queens County, Prince Edward Island and currently owned by Clyde River Golf Club Inc. of Clyde River, Prince Edward Island.

Council noted that this amendment will enable:

1. subdivision of a parcel of land of approximately two decimal nine (2.9) acres, being Provincial Property No 883173; and
2. subdivision of a parcel of land of approximately one decimal seven seven (1.77) acres from the two decimal nine (2.9) acres SUBJECT TO the remaining one decimal one three (1.13) acres of Provincial Parcel No. 883173 being reconsolidated with the parent parcel Provincial Property No. 228197.

Further, Council determined that following subdivision, identification for non-development use shall apply to the resulting consolidated Provincial Property No. 228197.

This Order-in-Council comes into force on June 24, 2003.

EC2003-343

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 82636, LOT 25, PRINCE COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately one hundred and sixty five (165) acres of land, being Provincial Property No. 82636 located in Lot 25, Prince County, Prince Edward Island and currently owned by Willard Waugh & Sons Ltd. of Summerside, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately zero decimal five (0.5) acres, and determined that following subdivision, identification for non-development use shall continue to apply to the remaining land.

This Order-in-Council comes into force on June 24, 2003.

EC2003-344

**PESTICIDES CONTROL ACT
REGULATIONS
AMENDMENT**

Pursuant to section 22 of the *Pesticides Control Act* R.S.P.E.I. 1988, Cap. P-4, Council made the following regulations:

1. Section 1 of the *Pesticides Control Act* Regulations (EC543/84) is amended

(a) in subsection (1),

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

(a.1) "Agreement" means the Pesticide Recertification Continuing Education Credit Program Agreement, between the Department of Fisheries, Aquaculture and Environment and the Federation of Agriculture, dated April 25, 2003 and amended on June 3, 2003; Agreement

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

(d.1) "Steering Committee" means the Pesticide Recertification Continuing Education Steering Committee appointed under the Agreement; Steering Committee

(d.2) "continuing education credits" or "CECs" means continuing education credits that may be earned by an individual in accordance with section 23; continuing education credits or CECs

(iii) by the revocation of clause (j) and the substitution of the following:

(j) "pesticide use certificate" means a pesticide use certificate issued by the Director under section 21; pesticide use certificate

(iv) by the addition of the following after clause (k):

(l) "training event" means a class or program that provides training in a subject within a pesticide training category prescribed under subsection (3); training event

(b) by the addition of the following after subsection (2):

(3) For the purposes of these regulations, the following categories of training in matters respecting pesticides are prescribed: Categories of training

(a) General Information, the general application, handling or storage of regulated pesticides;

(b) Laws, the law, federal and provincial, relating to regulated pesticides;

(c) Labelling, identifying pesticides and using the information on pesticide labels;

(d) Human Health, the effect of pesticides on human health including

- (i) acute and chronic toxicity,
- (ii) routes of exposure,
- (iii) factors affecting exposure,
- (iv) reducing exposure and risk, or
- (v) recognition of pesticide poisoning;

(e) Pesticide Safety, including

- (i) attitudes toward pesticide application and safety,
- (ii) general precautions in the use of or exposure to pesticides,
- (iii) selecting and purchasing pesticides,
- (iv) protective clothing and equipment,
- (v) transportation, storage and disposal,
- (vi) mixing and loading,
- (vii) safety during application,
- (viii) re-entry of places where application has occurred,
- (ix) application records;

(f) Environment, including

- (i) residual impact of pesticides,
- (ii) aquatic impact,
- (iii) land impact;

(g) Pest Management, including

- (i) integrated pest management,
- (ii) pest identification and biology,
- (iii) monitoring methods, action and injury levels;

(h) Application Technology, including

- (i) equipment selection,
- (ii) proper equipment set up, use and maintenance,
- (iii) equipment calibration and pesticide use calculations,
- (iv) pesticide products, and factors affecting their use and performance;

(i) Emergency Response, including

- (i) pesticide spills,
- (ii) fire and pesticides,
- (iii) first aid,

(j) Professionalism, including dealing effectively with clients and with the public regarding the use of pesticides;

(k) Other Pesticide Issues, as approved by the Director.

2. Section 21 of the regulations is revoked and the following substituted:

- 21.** (1) The Director may, on application, issue a pesticide use certificate to an applicant who Pesticide use certificate
- (a) applies on a form approved by the Director;
 - (b) is not less than 18 years of age;
 - (c) provides proof, satisfactory to the Director, of the applicant's successful completion of an examination respecting the application, handling or storage of pesticides approved by the Director,
 - (i) with a mark in the examination of 75% or more, or
 - (ii) with a mark in the examination of between 60% and 74%;
 - (d) demonstrates to the Director that he or she has the knowledge and skills necessary to safely and effectively handle, store and apply pesticides;
 - (e) provides such documents or other information as the Director may require; and
 - (f) pays the prescribed fees.
- (2) A pesticide use certificate issued under subsection (1) is valid until Expiry
- (a) the date of expiry shown in the certificate;
 - (b) the Director or the Minister suspends or cancels the certificate;
 - (c) in the case of an applicant who submitted examination results under clause 21(1)(c)(i), five years from the date the examination was completed; or
 - (d) in the case of an applicant who submitted examination results under clause 21(1)(c)(ii), one year from the date the examination was completed,
- whichever is earlier.
- (3) A pesticide use certificate issued under subsection (1) Idem
- (a) may contain such conditions as the Director considers necessary; and
 - (b) authorizes the holder to purchase, store, handle and apply a regulated pesticide in the province.
- (4) A pesticide use certificate issued before the date these regulations come into force continues in force until Prior issued pesticide use certificate
- (a) suspended or cancelled by the Director or the Minister; or
 - (b) the date of expiry shown in the certificate.
- 22.** (1) Subject to subsection (3), the Director shall, on the application of a holder of a pesticide use certificate, renew a pesticide use certificate issued under subsection 21(1) on payment of the prescribed fee if, before the expiry of the certificate, the holder Renewal
- (a) has earned a total of not less than 15 CECs in the categories of training events listed in subsection 1(3) as follows:
 - (i) at least 10 CECs in the categories described as Pest Management, Application Technology, Human Health, and Pesticide Safety in subsection 1(3),
 - (ii) the remaining 5 CECs in any other category described in subsection 1(3); or
 - (b) has
 - (i) successfully completed an examination approved by the Director, with a mark in the examination of not less than 75%, and
 - (ii) demonstrated to the Director that he or she has the knowledge and skills necessary to safely and effectively handle, store and apply pesticides.
- (2) The Director may not accept, for the purposes of subsection (1), Limitation on CECs
- (a) more than 5 CECs in any one category;
 - (b) more than 5 CECs earned in a 12-month period.
- (3) A pesticide use certificate renewed under subsection (1) is valid until Expiry
- (a) the date of expiry shown in the certificate;
 - (b) the Director or the Minister suspends or cancels the certificate; or
 - (c) five years from the date the certificate was issued,
- whichever is earlier.
- 23.** (1) A person who wishes to take or wishes to offer a training event, for which CECs may be earned by the person or by participants, shall Submissions

submit a training event proposal form to the Steering Committee, including

- (a) the proposed dates;
- (b) the name of the proposed trainer;
- (c) the nature and scope of the training event; and
- (d) such other information as the Committee may require.

(2) On receipt of a submission by a person who wishes to offer or to take a training event, the Steering Committee

Approval of training event

- (a) shall review the submission; and
- (b) may approve the proposed training event if the Steering Committee is satisfied that the training event
 - (i) is directly related to the application of regulated pesticides in the province,
 - (ii) is led by a trainer who
 - (A) is acceptable to the Director, and
 - (B) is representative of one or more of the following groups:
 - (I) user-group or agricultural organizations,
 - (II) private or academic training groups,
 - (III) agribusiness consultants,
 - (IV) professional associations,
 - (V) provincial or federal government departments.

(3) A person who attends a training event approved by the Steering Committee earns CECs on an hour-for-hour basis as indicated in the approval for the following types of training events:

Types of training events

- (a) trainer-led courses including seminars, field days, user-group meetings, or workshops where
 - (i) pesticide-related topics are covered, and
 - (ii) the continued attendance and active participation of the person claiming CECs can be verified by the Director;
- (b) interactive computer programs approved by the Director;
- (c) the proctored viewing of video materials;
- (d) self-study of pesticide education materials with verified testing;
- (e) courses in first aid or WHMIS only if such courses are specifically designed to address pesticide-related issues.

(4) A trainer who conducts a training event approved by the Steering Committee shall provide each participant in a training event with a written record, on the form approved by the Director, of the participant's attendance at the training event.

Duty of trainer

24. (1) The Director shall, on application by an individual, issue a conditional pesticide use certificate to the individual if the individual

Conditional pesticide use certificate

- (a) either
 - (i) held a pesticide use certificate, issued under these regulations, that expired not earlier than May 1, 2002, or
 - (ii) holds a pesticide use certificate that expires not later than December 31, 2007; and
- (b) provides proof, satisfactory to the Director, of the number of CECs earned within the time period required by Schedule 3.

(2) A conditional pesticide use certificate issued under subsection (1) expires on December 31 of the year in which it was issued.

Expiry

(3) Subsections (1) and (2) and this subsection are revoked on the expiry of December 31, 2007.

Revocation

3. The regulations are amended by the addition of Schedule 3 as set out in the Schedule to these regulations.

4. These regulations come into force on July 5, 2003.

SCHEDULE**SCHEDULE 3****PHASE-IN OF CONTINUING EDUCATION CREDITS**

| Expiry Date of existing pesticide use certificate | Number of CECs Required for Recertification | | | | | |
|---|---|------------------|------------------|------------------|------------------|------------------|
| | By the expiry date of the PUC | Within 12 months | Within 24 months | Within 36 months | Within 48 months | Within 60 months |
| May 1/02 to Dec 31/02 | — | 3 | 6 | 9 | 12 | 15 |
| Jan 1/03 to Dec 31/03 | — | — | 6 | 9 | 12 | 15 |
| Jan 1/04 to Dec 31/04 | — | 6 | 9 | 12 | 15 | — |
| Jan 1/05 to Dec 31/05 | 6 | 9 | 12 | 15 | — | — |
| Jan 1/06 to Dec 31/06 | 9 | 12 | 15 | — | — | — |
| Jan. 1/07 to Dec 31/07 | 12 | 15 | — | — | — | — |

NOTES:

1. The number of months in the table is counted from the expiry date of the pesticide use certificate issued before this Schedule came into force.
2. Credits are cumulative.
3. In the case of pesticide use certificates that expired in 2002, the certificate holder has until May 1, 2004 to earn the first 3 CECs.

EXPLANATORY NOTES

SECTION 1 adds definitions to the regulations.

SECTION 2 rewrites the provisions respecting the issue of pesticide use certificates, specifies the manner in which continuing education credits can be earned, and provides for conditional pesticide use certificates.

SECTION 3 adds a Schedule 3 to the regulations.

SECTION 4 provides for the commencement of these regulations.

EC2003-345

**PROVINCIAL COURT ACT
JUSTICE OF THE PEACE
APPOINTMENT**

Under authority of section 14 of the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25 Council appointed Kara O'Brien of Summerside in Prince County, Prince Edward Island, as a Justice of the Peace in and for the Counties of Prince, Queens and Kings in the Province of Prince Edward Island from 24 June 2003 to 24 September 2003.

Further, Council ordered that should the said Kara O'Brien cease to be employed by the Province of Prince Edward Island as an employee of the Provincial Court in Summerside, her appointment as a Justice of the Peace shall terminate coincident with the date her employment with the Provincial Court terminates.

EC2003-346**PROVINCIAL COURT ACT
JUSTICE OF THE PEACE
APPOINTMENT**

Under authority of section 14 of the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25 Council appointed Maureen A. Peters of Charlottetown in Queens County, Prince Edward Island, as a Justice of the Peace in and for the Counties of Prince, Queens and Kings in the Province of Prince Edward Island from 24 June 2003 to 24 September 2003.

Further, Council ordered that should the said Maureen A. Peters cease to be employed by the Province of Prince Edward Island as an employee of the Provincial Court in Charlottetown, her appointment as a Justice of the Peace shall terminate coincident with the date her employment with the Provincial Court terminates.

EC2003-347**RETAIL BUSINESS HOLIDAYS ACT
EXEMPTION REGULATIONS
AMENDMENT**

Pursuant to section 7 of the *Retail Business Holidays Act* R.S.P.E.I. 1988, Cap. R-13.02, Council made the following regulations:

1. Section 3 of the *Retail Business Holidays Act* Exemption Regulations (EC554/93) is revoked and the following substituted:

3. Harness racing and pari-mutuel betting at the Charlottetown Driving Park on July 20, 2003 are exempt from the application of section 2 of the Act. One day racing, betting exemption

2. These regulations come into force on July 5, 2003.

EXPLANATORY NOTES

The amendment allows a race card to be held at the Charlottetown Driving Park on the specified date.

EC2003-348**SUPREME COURT ACT
DEPUTY REGISTRAR
SUPREME COURT OF PRINCE EDWARD ISLAND
ROXANNE MARIE MURPHY
APPOINTMENT**

Pursuant to section 20.2 of the *Supreme Court Act* R.S.P.E.I. 1988, Cap. S-10 Council appointed Roxanne Marie Murphy of Charlottetown, in Queens County a deputy registrar of the Supreme Court from 27 July 2003 to 27 July 2004.

Further, Council ordered that, should the said Roxanne Marie Murphy cease to be employed with the Supreme Court of Prince Edward Island, her appointment to the aforementioned position shall terminate coincident with the date of termination of her employment.

EC2003-349

SUPREME COURT ACT
DEPUTY REGISTRAR
SUPREME COURT OF PRINCE EDWARD ISLAND
KIM ANN RADANOVICH
APPOINTMENT

Pursuant to section 20.2 of the *Supreme Court Act* R.S.P.E.I. 1988, Cap. S-10 Council appointed Kim Ann Radanovich of Charlottetown, in Queens County a deputy registrar of the Supreme Court from 29 April 2003 through 29 October 2003.

Further, Council ordered that, should the said Kim Ann Radanovich cease to be employed with the Supreme Court of Prince Edward Island, her appointment to the aforementioned position shall terminate coincident with the date of termination of her employment.

EC2003-350

SCHOOL ACT
STUDENTS AND PARENTS REGULATIONS
AMENDMENT

Pursuant to sections 69 and 147 of the *School Act* R.S.P.E.I. 1988, Cap. S-2.1, Council made the following regulations:

1. Subsection 1(1) of the *School Act* Students and Parents Regulations (EC69/96) is revoked and the following substituted:

1. (1) A person who reaches the age of six years on or before the date in a school year specified below may be enrolled in a school in September of that school year: Age six for enrolment purposes

- (a) for the school year commencing September 1, 2004 and ending on June 30, 2005, the date is December 31;
- (b) for the school year commencing September 1, 2005 and ending on June 30, 2006, the date is November 30;
- (c) for the school year commencing September 1, 2006 and ending on June 30, 2007, the date is October 31;
- (d) for the school year commencing September 1, 2007 and ending on June 30, 2008, the date is September 30;
- (e) for the school year commencing September 1, 2008 and ending on June 30, 2009, and for any school year thereafter, the date is August 31.

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

2. A person who reaches the age of seven years on or before the date in a school year specified below shall be enrolled in a school in September of that school year: Age seven for enrolment purposes

- (a) for the school year commencing September 1, 2005 and ending on June 30, 2006, the date is December 31;
- (b) for the school year commencing September 1, 2006 and ending on June 30, 2007, the date is November 30;
- (c) for the school year commencing September 1, 2007 and ending on June 30, 2008, the date is October 31;
- (d) for the school year commencing September 1, 2008 and ending on June 30, 2009, the date is September 30;
- (e) for the school year commencing September 1, 2009 and ending on June 30, 2010 and for any school year thereafter, the date is August 31.

3. These regulations come into force on July 5, 2003.

EXPLANATORY NOTES

The amendments provide for a gradual change in the cut-off date for students entering grade 1 in a particular school year.

EC2003-351

**WELFARE ASSISTANCE ACT
REGULATIONS
AMENDMENT**

Pursuant to section 7 of the *Welfare Assistance Act* R.S.P.E.I. 1988, Cap. W-3, Council made the following regulations:

1. Section 12 of the *Welfare Assistance Act* Regulations (EC746/84) is amended

(a) in subclause (a)(i) by the deletion of the words “\$50” and the substitution of the words “\$75”; and

(b) in subclause (a)(ii) by the deletion of the words “\$100” and the substitution of the words “\$125”.

2. Section 18 of the regulations is amended

(a) in clause (c)

(i) in paragraph (iii)(B) by the deletion of the words “\$485” and the substitution of the words “\$495”,

(ii) in subclause (iv) by the deletion of the words “\$407” and the substitution of the words “\$417”, and

(iii) in subclause (v) by the deletion of the words “\$485” and the substitution of the words “\$495”; and

(b) in clause (g) by the deletion of the words “\$14” and the substitution of the words “\$20”.

3. Clause 19(14)(b) of the regulations is amended by the deletion of the words “\$50” and the substitution of the words “\$52”.

4. These regulations are deemed to come into force on April 1, 2003.

EXPLANATORY NOTES

The amendments reflect the rate increases approved by Cabinet, effective April 1, 2003.

Number: SW03/04 - 1

SPECIAL

WARRANT

pursuant to the

FINANCIAL ADMINISTRATION ACT

Lieutenant Governor

On recommendation of the Lieutenant Governor in Council by its Order-in-Council EC2003-326, and pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 the following supplementary payment is authorized out of the Operating Fund for the Fiscal Year 2003/04:

Employment Development Agency.....\$1,500,000.00

Clerk of the Executive Council

CANADA

PROVINCE OF PRINCE EDWARD ISLAND

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.

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 13 of Chapter 13 of the Acts passed by the
Legislature of Prince Edward Island in the 4th Session thereof held in the year
2002 and in the fifty-first year of Our Reign intituled "An Act to Amend the
Highway Traffic Act" 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.”,

AND WHEREAS it is deemed expedient that sections 6 and 7 of the said Act,
Stats. P.E.I. 2002, 4th Session, c. 13 should come into force on the 5th day of
July, 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 sections 6 and 7 of the said Act being "An Act to
Amend the Highway Traffic Act" passed in the fifty-first year of Our Reign shall
come into force on the fifth day of July, 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 twenty-fourth day of
June in the year of Our Lord two thousand and three and in the fifty-second year
of Our Reign.

By Command,

Clerk of the Executive Council