

EC2005-702

EXECUTIVE COUNCIL ACT
MINISTER OF EDUCATION
AUTHORITY TO ENTER INTO AN AGREEMENT
(SKILLS DEVELOPMENT CONTRIBUTION AGREEMENT)
WITH THE
GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Education to enter into an agreement with the Government of Canada, as represented by the Canada Employment Insurance Commission, to set out terms and conditions of funding skills development training for eligible Prince Edward Island participants for the period September 1, 2005 to August 31, 2006, such as more particularly described in the draft agreement.

EC2005-703

FINANCIAL ADMINISTRATION ACT
PRINCE EDWARD ISLAND GRAIN ELEVATORS CORPORATION
GUARANTEE OF LOAN

Having under consideration the recommendation of Treasury Board (reference Minute TB368/05 of 7 December 2005), 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 Revolving Line of Credit loan by the Prince Edward Island Grain Elevators Corporation (hereinafter referred to as "the borrower") in an amount not exceeding three million, two hundred and fifty thousand dollars (\$3,250,000.00) (hereinafter referred to as the "guaranteed indebtedness") together with interest thereon at the rate of prime minus one-half of one percent to the Bank of Nova Scotia in Kensington, Prince Edward Island (hereinafter referred to as "the lender"), from the 13th day of December 2005 through to and including 1700 hours on the 31st day of December 2006, 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 2006.
2. Any advances made by the lender after the 31st day of December 2006 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 2006 regardless of any advances that may have been made by the lender to the borrower unless on or before the 31st day of December 2006, 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 he 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.

EC2005-704

GRAIN ELEVATORS CORPORATION ACT
PRINCE EDWARD ISLAND GRAIN ELEVATORS CORPORATION
BOARD OF DIRECTORS
APPOINTMENT

Pursuant to subsection 2(2) of the *Grain Elevators Corporation Act* R.S.P.E.I. 1988, Cap. G-5 Council made the following appointment:

NAME	TERM OF APPOINTMENT
Gary Robinson Brackley Beach (vice John Griffin, term expired)	6 December 2005 to 6 December 2008

EC2005-705

HOLLAND COLLEGE ACT
BOARD OF GOVERNORS OF HOLLAND COLLEGE
APPOINTMENTS

Pursuant to subsection 6(1) of the *Holland College Act* R.S.P.E.I. 1988, Cap. H-6 Council made the following appointments:

NAME	TERM OF APPOINTMENT
via clause (c)	
Bill Dalziel Brackley (reappointed)	19 November 2005 to 19 November 2008
via clause (d)	
Rory Herget Kildare Capes (reappointed)	18 June 2005 to 18 June 2008
Ken MacRae Charlottetown (vice Barbara Trainor, term expired)	13 December 2005 to 13 December 2008

EC2005-706

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DMK DEVELOPMENT 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 DMK Development Inc. of Glenfinnan, Prince Edward Island to acquire a land holding of approximately one hundred and thirty (130) acres of land in Lot 48, Queens County, Province of Prince Edward Island, being acquired from Blair Shea of Glenfinnan, Prince Edward Island.

EC2005-707

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 231548, LOT 22, 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 seventy-eight decimal four one (78.41) acres of land, being Provincial Property No. 231548 located in Lot 22, Queens County, Prince Edward Island and currently owned by Hope River Ent. Inc. of Kensington, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately three decimal eight five (3.85) acres, and determined that following subdivision, identification for non-development use shall continue to apply to the new parcel as well as to the remaining land.

This Order-in-Council comes into force on 13 December 2005.

EC2005-708

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 576652, LOT 22, 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 fifty (50) acres of land, being Provincial Property No. 576652 located in Lot 22, Queens County, Prince Edward Island and currently owned by Hope River Ent. Inc. of Kensington, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately fourteen (14) acres, and determined that following subdivision, identification for non-development use shall continue to apply to the new parcel as well as to the remaining land.

This Order-in-Council comes into force on 13 December 2005.

EC2005-709

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

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

1. Section 20 of the *Prince Edward Island Lands Protection Act* Exemption Regulations (EC368/88) is amended

(a) by renumbering section 20 as subsection 20(1); and

(b) by the addition of the following:

(2) An interest to be acquired through purchase by McCain Produce Inc. of approximately 0.6 acres, which is the remnant of the entire parcel of Property No. 37333, located in Lot 5, Prince County, Prince Edward Island is exempt from the application of section 5 of the Act. McCain Produce Inc.

2. These regulations come into force on December 13, 2005.

EXPLANATORY NOTES

The exemption provides for the inclusion in the land holdings by the McCain group of companies of a small parcel of land that is the remnant of the entire parcel of Property No. 37333. The parcel to be included borders on 2 sides of the larger existing parcel that houses a fertilizer plant.

EC2005-710

**PRINCE EDWARD ISLAND LANDS PROTECTION ACT
STATEMENT OF REASONS
FOR AN EXEMPTION
IN RESPECT OF
THE ACQUISITION OF LAND BY
MCCAIN PRODUCE INC.**

Pursuant to subsection 17(2) of the *Prince Edward Island Lands Protection Act*, R.S.P.E.I., Cap. L-5, Council authorized the following statement to be tabled in the Legislative Assembly:

STATEMENT

1. Description of the undertaking in respect of which the exemption was granted:

The exemption from the application of section 5 of the Act was granted in respect of the acquisition of lands totalling approximately 0.6 acres +/- located in:

Bloomfield, Lot 5, Prince County, Parcel No. 37333.

2. Reasons for exemption:

The exemption was granted to enable McCain Produce Inc. to acquire the above noted lands. Approval of the acquisitions was based on the following factors:

(a) the granting of the exemption will enable the applicant corporation to add a small amount of land to its existing fertilizer plant site to facilitate the possible future expansion of the plant; and

(b) the significance to the provincial economy of the existing plant and any future expansion thereof.

The exemption was granted by way of an amendment to the *Prince Edward Island Land Protection Act* Exemption Regulations, issued as Order-in-Council EC2005-709 on the 13th day of December 2005, a copy of which is attached to this statement.

EC2005-711

PUBLIC DEPARTMENTS ACT
ACTING MINISTERS
APPOINTMENTS

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

Honourable Philip Brown to be Acting Minister of Agriculture, Fisheries and Aquaculture from December 8 through December 13, 2005; and Honourable Jamie Ballem to be Acting Minister of Agriculture, Fisheries and Aquaculture commencing on December 14, 2005, and continuing for the duration of the absence from the Province of Honourable Kevin MacAdam.

EC2005-712

QUEEN'S PRINTER ACT
ACTING QUEEN'S PRINTER
MICHAEL FAGAN
APPOINTMENT

Under authority of section 1 of the *Queen's Printer Act* R.S.P.E.I. 1988, Cap. Q-1, Council appointed Michael Fagan of Stanhope to continue as Acting Queen's Printer for the period 8 December 2005 to 31 January 2006.

EC2005-713**ROADS ACT
HIGHWAY ACCESS REGULATIONS
AMENDMENT**

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

1. Clause 4(b) of the *Roads Act Highway Access Regulations (EC580/95)* is amended

(a) by the deletion of the words “; or” following subclause (i) and the substitution of a comma;

(b) by the deletion of the period following subclause (ii) and the substitution of a comma;

(c) by the deletion of the period following subclause (iii) and the substitution of the words “, or”; and

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

(iv) change of use of an existing entrance way to allow for the construction of a farm dwelling on the same parcel where a farm with complementary buildings exists prior to November 14, 2005.

2. These regulations come into force on December 13, 2005.**EXPLANATORY NOTE**

This amendment allows for the change of use of an existing entrance way onto a highway to allow for the construction of a farm dwelling on a parcel which has complementary farm buildings, but does not include a dwelling.

EC2005-714**UNIVERSITY ACT
UNIVERSITY OF PRINCE EDWARD ISLAND
FINANCIAL STATEMENTS
(APRIL 30, 2005)
RECEIVED**

Council received the University of Prince Edward Island Financial Statements for the year ended 30 April 2005 presented pursuant to subsection 19(1) of the *University Act* R.S.P.E.I. 1988, Cap. U-4.

EC2005-715**LEGAL PROFESSION ACT
QUEEN'S COUNSEL
APPOINTMENT
OF
KEITH M. BOSWELL**

Council, pursuant to subsection 34(1) of the *Legal Profession Act* R.S.P.E.I. 1988, Cap. L-6.1 ordered that Letters Patent under the Great Seal of the Province be issued to appoint Keith M. Boswell, as Her Majesty's Counsel learned in the law of Prince Edward Island, effective 13 December 2005.

EC2005-716LEGAL PROFESSION ACT
QUEEN'S COUNSEL
APPOINTMENT
OF
KAREN A. CAMPBELL

Council, pursuant to subsection 34(1) of the *Legal Profession Act* R.S.P.E.I. 1988, Cap. L-6.1 ordered that Letters Patent under the Great Seal of the Province be issued to appoint Karen A. Campbell, as Her Majesty's Counsel learned in the law of Prince Edward Island, effective 13 December 2005.

EC2005-717LEGAL PROFESSION ACT
QUEEN'S COUNSEL
APPOINTMENT
OF
STEPHEN D.G. MCKNIGHT

Council, pursuant to subsection 34(1) of the *Legal Profession Act* R.S.P.E.I. 1988, Cap. L-6.1 ordered that Letters Patent under the Great Seal of the Province be issued to appoint Stephen D.G. McKnight, as Her Majesty's Counsel learned in the law of Prince Edward Island, effective 13 December 2005.

EC2005-718LEGAL PROFESSION ACT
QUEEN'S COUNSEL
APPOINTMENT
OF
CHARLES P. THOMPSON

Council, pursuant to subsection 34(1) of the *Legal Profession Act* R.S.P.E.I. 1988, Cap. L-6.1 ordered that Letters Patent under the Great Seal of the Province be issued to appoint Charles P. Thompson, as Her Majesty's Counsel learned in the law of Prince Edward Island, effective 13 December 2005.