

**EC2007-39**

ENVIRONMENTAL PROTECTION ACT  
 ENVIRONMENTAL ADVISORY COUNCIL  
 APPOINTMENTS

Pursuant to section 4 of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9, Council made the following appointments:

<b>NAME</b>	<b>TERM OF APPOINTMENT</b>
Murray Cook Stanhope (reappointed)	30 October 2006 to 30 October 2009
Dr. James Kemp Argyle Shore (reappointed)	30 October 2006 to 30 October 2009
Elmer MacDonald Augustine Cove (reappointed)	1 July 2006 to 1 July 2009
Donald Matheson Oyster Bed Bridge (reappointed)	30 October 2006 to 30 October 2009
member nominated by the Federation of Prince Edward Island Municipalities	
Gwen Wyand Cavendish (vice Stan Campbell, retired)	30 January 2007 at pleasure

Further, in accordance with clause 4(4)(a) of the said Act, Council designated Elmer MacDonald as vice-chairperson for the duration of his term.

**EC2007-40**

FINANCIAL ADMINISTRATION ACT  
SPECIAL WARRANT  
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2005/06)  
DEPARTMENT OF AGRICULTURE, FISHERIES AND AQUACULTURE

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 Department of Agriculture, Fisheries and Aquaculture as follows:

<b>Account Class</b>	<b>Account Name</b>	<b>Amount</b>
	<b>AGRICULTURE POLICY AND REGULATORY DIVISION Division Management</b>	
0694-02719	Bad Debt Expense	<u>\$1,500,000.00</u>

**EC2007-41**

FINANCIAL ADMINISTRATION ACT  
SPECIAL WARRANT  
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2005/06)  
DEPARTMENT OF DEVELOPMENT AND TECHNOLOGY

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 Department of Development and Technology as follows:

<b>Account Class</b>	<b>Account Name</b>	<b>Amount</b>
	<b>Finance and Administration</b>	
0152-04299	Grants – Miscellaneous	<u>\$871,600.00</u>

**EC2007-42**

FINANCIAL ADMINISTRATION ACT  
SPECIAL WARRANT  
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2005/06)  
P.E.I. LENDING 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 P.E.I. Lending Agency as follows:

<b>Account Class</b>	<b>Account Name</b>	<b>Amount</b>
	<b>Division Management</b>	
0174-04279	Operations – Crown Corporations	<u>\$4,750,000.00</u>

**EC2007-43**

FINANCIAL ADMINISTRATION ACT  
P.E.I. LENDING AGENCY  
DECLARATION TO RECOUP LOSS  
(FISCAL YEAR 2005/06)

Having under consideration the recommendation of the Treasury Board (reference TB400/06 of 17 January 2007) and pursuant to section 72 of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council declared that the net operating loss as at 31 March 2006 of the P.E.I. Lending Agency in the amount of \$1,436,007.00 be recouped from the future operations of the Corporation.

**EC2007-44**

FINANCIAL ADMINISTRATION ACT  
CHARLOTTETOWN AREA DEVELOPMENT CORPORATION  
DECLARATION TO RETAIN PROFIT  
(FISCAL YEAR 2005/06)

Having under consideration the recommendation of the Treasury Board (reference TB#401/06 of 17 January 2007) and pursuant to section 72 of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council declared that the profit of the Charlottetown Area Development Corporation for the year ended 31 March 2006 in the amount of \$498,185.00 be retained by the Corporation.

**EC2007-45**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
NEIL BARON  
(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 Neil Baron of Calgary, Alberta to acquire a land holding of approximately zero decimal five nine (0.59) acres of land in Lot 62, Queens County, Province of Prince Edward Island, being acquired from Sheila M. Campbell of Cornwall, Prince Edward Island.

**EC2007-46**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ELIZABETH W. DOUDOUMOPOULOS, ALEXANDER  
DOUDOUMOPOULOS (TRUSTEE), NICHOLAS DOUDOUMOPOULOS,  
JOHN S. CLAPP, JR. (TRUSTEE), SARAH D. BEECHLER, ELIZABETH W.  
LANE, WARREN WILKINSON, THOMAS WILKINSON,  
AND JOHN WILKINSON  
(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 Elizabeth W. Doudoumopoulos and Alexander Doudoumopoulos (Trustee), both of Chevy Chase, Maryland; Nicholas Doudoumopoulos of Garrett Park, Maryland; John S. Clapp, Jr. (Trustee) of Needham, Massachusetts; Sarah D. Beechler of Pittsburgh, Pennsylvania; Elizabeth W. Lane of Eliot, Maine; Warren Wilkinson of Vero Beach, Florida; Thomas Wilkinson of Hudson, Massachusetts; and John Wilkinson of Millis, Massachusetts to acquire an interest in a land holding of approximately two hundred and thirty-six (236) acres of land in Lot 37, Kings County, Province of Prince Edward Island, being acquired from Sherwood Holdings Ltd. of Charlottetown, Prince Edward Island.

**EC2007-47**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ELIZABETH W. DOUDOUMOPOULOS, ALEXANDER  
DOUDOUMOPOULOS (TRUSTEE), NICHOLAS DOUDOUMOPOULOS,  
JOHN S. CLAPP, JR. (TRUSTEE), SARAH D. BEECHLER, ELIZABETH W.  
LANE, WARREN WILKINSON, THOMAS WILKINSON,  
AND JOHN WILKINSON  
(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 Elizabeth W. Doudoumopoulos and Alexander Doudoumopoulos (Trustee), both of Chevy Chase, Maryland; Nicholas Doudoumopoulos of Garrett Park, Maryland; John S. Clapp, Jr. (Trustee) of Needham, Massachusetts; Sarah D. Beechler of Pittsburgh, Pennsylvania; Elizabeth W. Lane of Eliot, Maine; Warren Wilkinson of Vero Beach, Florida; Thomas Wilkinson of Hudson, Massachusetts; and John Wilkinson of Millis, Massachusetts to acquire an interest in a land holding of approximately fifty (50) acres of land in Lot 62, Queens County, Province of Prince Edward Island, being acquired from Richard McGuigan of Charlottetown, Prince Edward Island.

**EC2007-48**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 TONIA ENDRES AND LOUISE ENDRES  
 (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 Tonia Endres and Louise Endres, both of Berwick, Nova Scotia to acquire an interest in a land holding of approximately five hundred and forty (540) acres of land in Lot 11, Prince County, Province of Prince Edward Island, being acquired from Gulf Island Peat Moss Co. Inc. of Berwick, Nova Scotia.

**EC2007-49**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 RICHARD CONNELL, KEVIN CLOPTON, DAVID GRABOWSKI AND  
 KENNETH ANDREW HALL  
 (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 Richard Connell of Charlottetown, Prince Edward Island; Kevin Clopton and David Grabowski, both of Edmonton, Alberta; and Kenneth Andrew Hall of Tugun, Australia to acquire an interest in a land holding of approximately thirty-five (35) acres of land in Lot 65, Queens County, Province of Prince Edward Island, being acquired from Louis MacIsaac and Bernice MacIsaac, both of Cornwall, Prince Edward Island.

**EC2007-50**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 JACOB (JAAP) HIEMSTRA  
 (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 Jacob (Jaap) Hiemstra of St. Annaparochie, Holland to acquire an interest in a land holding of approximately three (3) acres of land in Lot 33, Queens County, Province of Prince Edward Island, being acquired from Dennis H. Hughes and Elizabeth Hughes, both of Charlottetown, Prince Edward Island.

**EC2007-51**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
TROY KILLAM  
(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 Troy Killam of Norwalk, Connecticut to acquire a land holding of approximately twenty-one decimal four (21.4) acres of land in Lot 49, Queens County, Province of Prince Edward Island, being acquired from Lloyd MacDougall and Gloria Jean Bruce, both 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.

**EC2007-52**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
DONALD WALTER KRULL AND HEATHER ANNE MCNEILL KRULL  
(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 Donald Walter Krull and Heather Anne McNeill Krull, both of Kanata, Ontario to acquire a land holding of approximately five decimal nine (5.9) acres of land in Lot 18, Prince County, Province of Prince Edward Island, being acquired from James Evans of Burlington, Prince Edward Island.

**EC2007-53**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
DEBORAH ANNE MAYNARD AND HAROLD MAYNARD  
(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 Deborah Anne Maynard and Harold Maynard, both of Burlington, Ontario to acquire a land holding of approximately ninety-one (91) acres of land in Lot 30, Queens County, Province of Prince Edward Island, being acquired from William Curley of Truro, Nova Scotia 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.

**EC2007-54**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
CANADA LANDS COMPANY CLC LIMITED  
(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 Canada Lands Company CLC Limited of Toronto, Ontario to acquire a land holding of approximately one decimal five five two (1.552) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from the Government of Canada of Charlottetown, Prince Edward Island.

**EC2007-55**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
CARMICHAEL FARMS 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 Carmichael Farms Ltd. of Albany, Prince Edward Island to acquire a land holding of approximately two (2) acres of land in Lot 27, Prince County, Province of Prince Edward Island, being acquired from Michael Carmichael of Albany, Prince Edward Island.

**EC2007-56**

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

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Compton Bros. Inc. of Morell, Prince Edward Island to acquire a land holding of approximately fifty-seven (57) acres of land in Lot 39, Kings County, Province of Prince Edward Island, being acquired from Garry Matheson of Hunter River, 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.

**EC2007-57**

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

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Fairview Ventures Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately thirty-five (35) acres of land in Lot 65, Queens County, Province of Prince Edward Island, being acquired from Louis MacIsaac and Bernice MacIsaac, both of Cornwall, Prince Edward Island PROVIDED THAT the part of the real property that has not received subdivision approval, approximately twenty-three (23) acres, is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2007-58**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
GILL FORESTRY & FIREWOOD INC.  
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Gill Forestry & Firewood Inc. of Mount Stewart, Prince Edward Island to acquire a land holding of approximately forty-two decimal seven one (42.71) acres of land in Lot 66, Kings County, Province of Prince Edward Island, being acquired from Morell Credit Union, Mortgagee in Possession of Morell, 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.

**EC2007-59**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
HILLTOP PRODUCE 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 Hilltop Produce Ltd. of Kinkora, Prince Edward Island to acquire a land holding of approximately ninety-two (92) acres of land in Lot 26, Prince County, Province of Prince Edward Island, being acquired from D & E Pork Inc. of Albany, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 822015, 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.



**EC2007-60**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
JASPER WYMAN & SON CANADA 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 Jasper Wyman & Son Canada Inc. of Canavoy, Prince Edward Island to acquire a land holding of approximately two hundred and thirty-six (236) acres of land in Lot 37, Queens and Kings Counties, Province of Prince Edward Island, being acquired from Sherwood Holdings Ltd. of Charlottetown, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 148932, 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.

**EC2007-61**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
JASPER WYMAN & SON CANADA INC.  
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Jasper Wyman & Son Canada Inc. of Canavoy, Prince Edward Island to acquire a land holding of approximately fifty (50) acres of land in Lot 62, Queens County, Province of Prince Edward Island, being acquired from Richard McGuigan 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.

**EC2007-62**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
MARWOOD PROPERTIES 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 Marwood Properties Inc. of Georgetown, Prince Edward Island to acquire a land holding of approximately thirteen decimal four (13.4) acres of land at Georgetown Royalty, Lot 53, Kings County, Province of Prince Edward Island, being acquired from Martinus Rose of Georgetown, Prince Edward Island.

**EC2007-63**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
NEW HOMES PLUS 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 New Homes Plus Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately twenty-eight decimal zero five (28.05) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Prince Edward Island Business Development Inc. of Charlottetown, Prince Edward Island.

**EC2007-64**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
RIOKIM HOLDINGS (P.E.I.) 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 RioKim Holdings (P.E.I.) Inc. of Toronto, Ontario to acquire a land holding of approximately zero decimal seven five (0.75) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from A.P.M. Landmark Inc. of Charlottetown, Prince Edward Island.

**EC2007-65**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
SOUTHPORT MOTEL & COTTAGES 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 Southport Motel & Cottages Ltd. of Stratford, Prince Edward Island to acquire a land holding of approximately three (3) acres of land in Lot 33, Queens County, Province of Prince Edward Island, being acquired from Dennis H. Hughes and Elizabeth Hughes, both of Charlottetown, Prince Edward Island.

**EC2007-66**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
WHITEROCK 193 MALPEQUE CHARLOTTETOWN 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 Whiterock 193 Malpeque Charlottetown Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately two decimal nine six (2.96) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Pan-American Properties Inc., formerly Pan-American Trust Company of Charlottetown, Prince Edward Island.

**EC2007-67**

LENDING AGENCY ACT  
SEA CROSS INC.  
AUTHORIZATION

Pursuant to subsection 2(2) of the Lending Agency Act Regulations (EC1999-406) Council authorized the Agency to advance a capital loan in the amount of \$8,077,000.00 to Sea Cross Inc.

**EC2007-68**

LIQUOR CONTROL ACT  
APPROVAL TO BORROW  
RE: OAK TREE LIQUOR STORE

Pursuant to clause 7(g) of the *Liquor Control Act* R.S.P.E.I 1988, Cap. L-14, Council granted approval to the Prince Edward Island Liquor Control Commission to borrow up to \$125,000.00 from the Provincial Treasurer to undertake renovations to the Oak Tree Liquor Store.

**EC2007-69**

MUSEUM ACT  
PRINCE EDWARD ISLAND MUSEUM AND HERITAGE FOUNDATION  
EXECUTIVE DIRECTOR - APPOINTMENT  
DAVID KEENLYSIDE  
(APPROVED)

Pursuant to section 9 of the *Museum Act*, R.S.P.E.I. 1988, Cap. M-14, Council appointed David Keenlyside to serve at pleasure as Executive Director of the Prince Edward Island Museum and Heritage Foundation at Excluded Salary Level 23, effective 5 March 2007.

## EC2007-70

**OFF-HIGHWAY VEHICLE ACT  
REGULATIONS  
AMENDMENT**

Pursuant to section 22 of the *Off-Highway Vehicle Act* R.S.P.E.I. 1988, Cap. O-3, Council made the following regulations:

**1. Section 1 of the *Off-Highway Vehicle Act* Regulations (EC96/88) is amended**

(a) by renumbering it as subsection 1(1); and

(b) by the addition of the following after subsection (1):

(2) The following classes or types of off-highway vehicles are exempt from the Act and these regulations: Exempt off-highway vehicles

(a) miniature motor vehicles;

(b) minibikes.

**2. Section 6 of the regulations is revoked and the following substituted:**

**6.** No person shall operate or be a passenger on an off-highway vehicle unless the person is wearing Helmet requirements

(a) a helmet that complies with the requirements of one of the following standards:

- (i) the British Standards Institution Standard 1869 (1960),
- (ii) the British Standards Institution Standard 2001 (1956),
- (iii) the Standards for Protective Headgear-1970, Snell Memorial Foundation (Order in Council 71-1265, December 21, 1971),
- (iv) the United States of America Federal Motor Vehicle Safety Standard 218 (Order in Council 79-1578, December 4, 1979);

(b) goggles which wrap around and enclose the eyes; and

(c) gloves, footwear and sturdy clothing which covers the entire body, including the ankles, legs and arms to the wrists.

**6.1** No person shall operate an off-highway vehicle which has an engine size which exceeds the manufacturer's recommendation for an operator of the age and weight of the person. Engine size

**3. Subsection 8(2) of the regulations is revoked and the following substituted:**

(2) No person shall operate an off-highway vehicle in accordance with subsection (1) unless the person Operating vehicle in accordance with subsection (1)

(a) holds a valid driver's license, of any class, issued under the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5; and

(b) has

- (i) held such a license for at least 24 consecutive months prior to operating the off-highway vehicle, or
- (ii) successfully completed an off-highway vehicle safety training course approved by the Registrar.

**4. Clause 10(a) of the regulations is revoked and the following substituted:**

(a) the operator

(i) holds a valid driver's license, of any class, issued under the *Highway Traffic Act*, and

(ii) has

- (A) held such a license for at least 24 consecutive months prior to operating the off-highway vehicle, or
- (B) successfully completed an off-highway vehicle safety training course approved by the Registrar; and

**5. Subsection 12(2) of the regulations is revoked and the following substituted:**

(2) No person shall operate an off-highway vehicle, other than a snowmobile, if Operation of vehicle—age and licensing requirements for driver

(a) the person is less than 14 years of age;

(b) the person is 14 or 15 years of age, unless the person

- (i) has successfully completed an off-highway vehicle safety training course approved by the Registrar, and
- (ii) is directly supervised by an adult who
- (A) holds a valid driver's license, of any class, issued under the *Highway Traffic Act*, and
- (B) has
- (I) held such a license for at least 24 consecutive months prior to supervising the operation of the off-highway vehicle, or
- (II) successfully completed an off-highway vehicle safety training course approved by the Registrar; or
- (c) the person is 16 years of age or older, unless the person
- (i) holds a valid driver's license, of any class, issued under the *Highway Traffic Act* and has held such a license for at least 24 consecutive months prior to operating the off-highway vehicle, or
- (ii) has successfully completed an off-highway vehicle safety training course approved by the Registrar and does not hold a driver's license, of any class, issued under the *Highway Traffic Act* that is currently suspended pursuant to the provisions of the Act.
- (3) No person who is the owner of an off-highway vehicle, other than a snowmobile, shall permit the off-highway vehicle to be operated by
- (a) a person who is less than 14 years of age;
- (b) a person who is 14 or 15 years of age, unless that person
- (i) has successfully completed an off-highway vehicle safety training course approved by the Registrar, and
- (ii) is directly supervised by an adult who
- (A) holds a valid driver's license, of any class, issued under the *Highway Traffic Act*, and
- (B) has
- (I) held such a license for at least 24 consecutive months prior to supervising the operation of the off-highway vehicle, or
- (II) successfully completed an off-highway vehicle safety training course approved by the Registrar; or
- (c) a person who is 16 years of age or older, unless that person
- (i) holds a valid driver's license, of any class, issued under the *Highway Traffic Act* and has held such a license for at least 24 consecutive months prior to operating the off-highway vehicle, or
- (ii) has successfully completed an off-highway vehicle safety training course approved by the Registrar and does not hold a driver's license, of any class, issued under the *Highway Traffic Act* that is currently suspended pursuant to the provisions of the Act.
- (4) In this section and in section 12.1, "adult" means a person who is 21 years of age or older.
- 12.1** (1) Notwithstanding anything to the contrary in section 12, a person who is less than 14 years of age may operate a dirt bike if the person
- (a) is operating the dirt bike in a competition or to prepare for a competition;
- (b) is under the supervision of an adult; and
- (c) has successfully completed an off-highway vehicle safety training course approved by the Registrar.
- (2) Notwithstanding anything to the contrary in section 12, a person who is the owner of a dirt bike may permit a person who is less than 14 years of age to operate the dirt bike if that person
- (a) is operating the dirt bike in a competition or to prepare for a competition;
- (b) is under the supervision of an adult; and
- (c) has successfully completed an off-highway vehicle safety training course approved by the Registrar.
- 12.2** (1) Notwithstanding anything to the contrary in section 12, a person who is 14 years of age or older may operate a dirt bike if the person has successfully completed an off-highway vehicle safety training course approved by the Registrar.
- (2) Notwithstanding anything to the contrary in section 12, a person who is the owner of a dirt bike may permit a person who is 14 years of age or older to operate a dirt bike if that person has successfully completed an off-highway vehicle safety training course.

Permitting operation of vehicle -age and licensing requirements for driver

Adult

Operation of a dirt bike by persons less than 14 years of age

Permitting operation of a dirt bike by persons less than 14 years of age

Operation of a dirt bike by persons 14 years of age or older

Permitting operation of a dirt bike by persons 14 years of age or older

**6. These regulations come into force on February 10, 2007.****EXPLANATORY NOTES**

**SECTION 1** exempts miniature motor vehicles and minibikes from the application of the Act and these regulations.

**SECTION 2** amends the regulations to prohibit a person from operating an off-highway vehicle without protective clothing and equipment. The section also amends the regulations to prohibit a person from operating an off-highway vehicle which has an engine size in excess of that recommended by the manufacturer for the age and weight of the operator.

**SECTION 3** amends the regulations to prohibit a person from operating an off-highway vehicle in the ditch next to a highway, and to prohibit the owner of the off-highway vehicle from permitting a person to so operate it, unless the person holds a valid driver's license and the person

- has held the driver's license for 24 months; or
- has successfully completed an off-highway vehicle safety training course approved by the Registrar.

**SECTION 4** amends the regulations to prohibit a person operating an off-highway vehicle from crossing a highway unless the person holds a valid driver's license and the person

- has held the driver's license for 24 months; or
- has successfully completed an off-highway vehicle safety training course approved by the Registrar.

**SECTION 5** amends the regulations to prohibit the operation of an off-highway vehicle, other than a snowmobile, by a person if the person is less than 14 years of age.

The section also prohibits the operation of an off-highway vehicle, other than a snowmobile, by a person who is 14 or 15 years of age unless the person has successfully completed an off-highway vehicle safety training course approved by the Registrar and the person is supervised by an adult who meets certain requirements.

The section also prohibits a person who is 16 years of age or older from operating an off-highway vehicle, other than a snowmobile, unless the person

- has held a driver's license for 24 months; or
- has successfully completed an off-highway vehicle safety training course approved by the Registrar and does not hold a driver's license that is currently suspended.

In addition, the section prohibits an owner of an off-highway vehicle from permitting the operation of the off-highway vehicle by a person who is prohibited from operating it.

Finally, the section establishes exceptions for persons who are under and over 14 years of age and are operating dirt bikes.

**SECTION 6** provides for the commencement of these regulations.

**EC2007-71**

**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 (EC761/05) is amended**

- (a) by the revocation of clause (f.1);**
- (b) by the addition of the following after clause (h):**

- (h.1) “controlled purchase domestic pesticide” means controlled purchase  
domestic pesticide
- (i) any domestic pesticide that is not designated as a self-select domestic pesticide, or
  - (ii) any fertilizer, within the meaning of the *Fertilizers Act* (Canada), that contains a pesticide;

**(c) by the addition of the following after clause (r):**

- (r.1) “PCP Act (Canada) Number” means the registration number of the pest control product, signified as follows: “REGISTRATION NO. (assigned registration number) PEST CONTROL PRODUCTS ACT” or “REG. NO. (assigned registration number) *PCP Act*”; PCP Act (Canada)  
Number

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

- (x) “Phase III storage facility” means a storage facility designed and maintained to store domestic and non-domestic pesticides, in accordance with the Canadian Warehousing Standards for the Storage of Agrichemical Products, Crop Life Canada, January 2002 as amended; Phase III storage  
facility

**(e) by the addition of the following after clause (y):**

- (y.1) “self-select domestic pesticide” means any domestic pesticide designated as a self-select pesticide under subsection (8); self-select domestic  
pesticide

- (y.2) “spot treatment” means the limited application of a pesticide to an area that is not more than 10% of the potential area for treatment; spot treatment

**(f) by the revocation of subsection (2); and**

**(g) by the addition of the following after subsection (4):**

- (5) These regulations apply to all pesticides except as follows: Application
- (a) sections 24 and 25 do not apply to exempted pesticides listed in Schedule 7;
  - (b) subsection 1(8) and section 20.2 are the only provisions of these regulations that apply to self-select pesticides listed in Schedule 8;
  - (c) these regulations do not apply to excluded pesticides listed in Schedule 2.

- (6) The pesticides listed in Schedule 2 are designated as excluded pesticides. Excluded pesticides

- (7) The pesticides listed in Schedule 7 are designated as exempted pesticides. Exempted domestic  
pesticides

- (8) The pesticides listed in Schedule 8 are designated as self-select domestic pesticides. Self-select domestic  
pesticides

**2. The following subsections are amended by the deletion of the words “human health and the environment” and the substitution of the words “human health or the environment”:**

**(a) subsection 5(3);**

**(b) subsection 6(3);**

**(c) subsection 13(4);**

**(d) subsection 14(2).**

**3. Subsection 5(2) of the regulations is amended by the revocation of clause (k) and the substitution of the following:**

- (k) a Class I Pesticide Application Business Licence authorizes the holder of the licence to offer a service involving the application of a herbicide using a wiper, brush, roller or by a spot treatment;
- (l) a Class J Pesticide Application Business Licence authorizes the holder of the licence to offer a pesticide application service specified in the licence.

**4. Section 5.1 of the regulations is amended**

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

- (1) An AG-1 Pesticide Use Certificate issued under the prior regulations is deemed to have been issued under these regulations. AG-1 Pesticide Use  
Certificate

**(b) by the revocation of subsection (3).**

**5. Section 6 of the regulations is amended**

**(a) in subsection (2), by the revocation of clause (k) and the substitution of the following:**

(k) a Class I Pesticide Applicator Certificate authorizes the holder of the certificate to apply a herbicide using a wiper, brush or roller, or by a spot treatment;

(l) a Class J Pesticide Applicator Certificate authorizes the holder of the certificate to apply a pesticide for a purpose specified in the certificate.

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

(2.1) Notwithstanding subsection (1), the Minister may, on application, issue a Class D Pesticide Applicator Certificate to an applicant who Class D Certificate

(a) has successfully completed a seed and seed-piece treatment training program approved by the Director, with or without the completion of a written examination; and

(b) holds a valid Class A Pesticide Applicator Certificate or a valid AG-1 Pesticide Use Certificate.

**(c) by the revocation of subsections (5.1) and (5.2).**

**6. Clause 8(1)(b) of the regulations is amended by the deletion of the words “Schedule 3” and the substitution of the words “Schedule 5”.**

**7. Subsection 9(1) of the regulations is amended by the deletion of the words “and every person who is a certified assistant”.**

**8. Section 10 of the regulations is amended**

**(a) by the revocation of clause (1)(b) and the substitution of the following:**

(b) held a valid AG-2 Pesticide Use Certificate on December 31, 2006.

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

(3) A Loader/mixer Certificate Expiry  
 (a) shall be issued on Form 1 of Schedule 3; and  
 (b) expires  
 (i) five years from the date on which the certificate was issued, or  
 (ii) on the date printed on the certificate  
 whichever is earlier.

**9. Section 11 of the regulations is revoked and the following substituted:**

**11.** The following certificates issued by the Minister under the prior regulations expired on December 31, 2006: Certificates expired

(a) Level 2 Biting Fly Pesticide Use Certificate;

(b) AG-2 Pesticide Use Certificate.

**10. Section 13 of the regulations is amended**

**(a) by the addition of the words “or renew” after the word “issue”; and**

**(b) by the addition of the following after subsection (1):**

(1.1) A person who holds a Non-Domestic Pesticide Vendor Business Licence shall display the licence issued for each store or facility owned or operated by the person, at such store or facility. Licence must be displayed

(1.2) Where a person owns more than one store or facility for which a Non-domestic Pesticide Vendor Business Licence is issued or renewed under subsection (1), the Minister shall charge only one fee for all of the stores or locations, but the fee shall be calculated on the sales data provided in respect of such store or location as the Minister determines. More than one store, facility

**11. The regulations are amended by the addition of the following after section 13:**



**13.1** (1) The Minister may, on application, issue or renew a Domestic Pesticide Vendor Business Licence to a person who

Domestic Pesticides  
Vendor Business  
Licence

- (a) owns or operates a store or location that sells or supplies a controlled purchase domestic pesticide;
- (b) holds, or employs at least one person who holds, a Domestic Pesticide Vendor Certificate;
- (c) provides to the Minister an estimate of the maximum size of all indoor and outdoor display areas and storage facilities for controlled purchase domestic pesticides required for the year for which the application is made; and
- (d) pays the application fee.

(2) The calculation of the fee payable for an application or a renewal of a Domestic Pesticide Vendor Business Licence under subsection (1) shall be based on the size of the display areas and storage facilities as provided to the Minister under clause (1)(b) and determined in accordance with Schedule 4.

Calculation of fee

(3) Where the licensee or the Minister determines that the actual size of the indoor and outdoor display areas and storage facilities to be used during the term of the licence is less than or greater than the estimate provided under clause (1)(b), the Minister may revise the fee and send the applicant a written notice of the revised fee.

Revised fee

(4) Where a person owns more than one store or location for which a Domestic Pesticide Vendor Business Licence is issued or renewed under subsection (1), the Minister shall charge one fee only for all of the stores or locations, but the fee shall be calculated on the size of the display and storage facilities in respect of such store or location as the Minister determines.

More than one  
store, location

(5) A licensee shall display a licence at each store or location for which the Minister has issued or renewed a licence under subsection (1).

Display licence

(6) The Minister may impose any conditions on a Domestic Pesticide Vendor Business Licence issued or renewed under this section that the Minister considers necessary for the protection of human health or the environment.

Conditions

(7) A Domestic Pesticide Vendor Business Licence shall be issued on Form 16 and expires

Expiry

- (a) on the last day of February of the year following the date of issue of the licence; or
- (b) on the date on which the licensee no longer holds, or employs at least one person who holds, a Domestic Pesticide Vendor Certificate, whichever occurs earlier.

**12. The regulations are amended by the addition of the following after section 14:**

**14.1** (1) The Minister may, on application, issue a Domestic Pesticide Vendor Certificate to a person who has successfully completed a written examination, approved by the Director, with a mark in the examination of not less than 75%.

Domestic Pesticide  
Vendor Certificate

(2) The Minister may impose any conditions on a Domestic Pesticide Vendor Certificate issued under this section that the Minister considers necessary for the protection of human health or the environment.

Conditions

(3) A Domestic Pesticide Vendor Certificate shall be issued on Form 17 and expires five years from the date of the examination referred to in subsection (1).

Expiry

**13. Subsection 16(1) and clause 16(2)(c) of the regulations are amended by the addition of the words “or golf course” after the words “agricultural operation”.**

**14. Subsection 20(2) of the regulations is amended by the revocation of clauses (c) and (d) and the substitution of the following:**

- (c) has a floor constructed
  - (i) of concrete or other water-impervious material that
    - (A) is recessed by at least 10 centimetres from the entrance, or
    - (B) has a liquid-tight sill that is raised by at least 10 centimetres from the floor, and

- (ii) in a manner that will contain and control up to 150% of the volume of any pesticide stored in the facility; or
- (d) has a separate containment unit that is constructed
  - (i) of concrete or other water-impervious material, and
  - (ii) in a manner that will contain and control up to 150% of the volume of any pesticide stored in the containment unit;

**15. The regulations are amended by the addition of the following after section 20:**

**20.1** (1) Every person who holds a Domestic Pesticide Vendor Business Licence and sells controlled purchase domestic pesticides shall ensure that any display of such pesticides Duties of licensee

- (a) is not accessible to any person other than the licensee or the licensee's employees; and
- (b) is more than one metre away from any commodities that are intended to be used as
  - (i) food for humans or animals,
  - (ii) household furnishings, or
  - (iii) toiletries, clothes, bedding or similar commodities.

(2) No person who holds a Domestic Pesticide Vendor Business Licence shall store a controlled purchase domestic pesticide unless Storage of pesticide

- (a) such pesticides are accessible only to a person who
  - (i) is the licensee or an employee of the licensee, or
  - (ii) has been given express permission by the licensee to enter the pesticide storage compartment, room or structure;
- (b) the compartment, room or structure in which such pesticides are stored is ventilated to the outside atmosphere;
- (c) a placard is affixed and maintained on the outside of each door leading into the compartment, room or structure in which the pesticide is stored bearing, in clearly visible block letters,
  - (i) the words "Warning" and "Authorized Persons Only", and
  - (ii) the words "Chemical Storage" or "Pesticide Storage"; and
- (d) the compartment, room or structure in which the pesticide is stored,
  - (i) does not have a drain that leads into or drains directly or indirectly into a storm sewer, sanitary sewer or watercourse,
  - (ii) has, located nearby, adequate respiratory protection and adequate protective clothing to be used for emergency purposes, and
  - (iii) is more than one metre away from any commodities that are intended to be used as
    - (A) food for humans or animals,
    - (B) household furnishings, or
    - (C) toiletries, clothes, bedding or similar commodities.

**20.2** Every person who sells self-select domestic pesticides Selling pesticide

- (a) shall display or store such pesticides in a manner that ensures that the pesticides do not present a hazard to children; and
- (b) shall not display or store self-select domestic pesticides less than one metre away from any commodities that are intended to be used as
  - (i) food for humans or animals,
  - (ii) household furnishings, or
  - (iii) toiletries, clothes, bedding or similar commodities.

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

**22.** Every person who applies, stores, handles, mixes, loads or transports a pesticide shall do so in the manner specified on the pesticide package label. Package labels

**17. The regulations are amended by the addition of the following after section 22:**

**22.1** Every person who holds a licence, certificate or permit issued under these regulations shall comply with all terms or conditions placed on such licence, certificate or permit. Comply with terms, conditions

**18. Section 23 of the regulations is amended**

- (a) in clause (b), by the deletion of the word “or”;
- (b) in clause (c) by the deletion of the comma and the substitution of the words “; or”; and
- (c) by the addition of the following after clause (c):
- (d) a container that held a pesticide,

**19. Clause 24(2)(a) of the regulations is amended by the addition of the words “and PCP Act (Canada) Number” after the words “trade name”.**

**20. Clause 25(2)(a) of the regulations is amended by the addition of the words “and PCP Act (Canada) Number” after the words “trade name”.**

**21. Section 28 of the regulations is amended**

**(a) by the deletion of clause (1)(k) and the substitution of the following:**

- (k) offer a pesticide application service for the application of a herbicide using a wiper, brush or roller, or by making a spot treatment , unless the person holds a Class I Pesticide Application Business Licence;
- (l) offer a pesticide application service not specified in clauses (a) to (k), unless the person holds a Class J Pesticide Application Business Licence.

**(b) in clause (2)(a), by the deletion of the words “or is a certified assistant”; and**

**(c) by the deletion of clause (2)(k) and the substitution of the following:**

- (k) apply a herbicide using a wiper, brush or roller, or by making a spot treatment, unless the person holds a Class I Pesticide Application Business Licence; and
- (l) apply a non-domestic pesticide for any purpose not specified in clauses (a) to (k) unless the person holds a Class J Pesticide Application Business Licence.

**22. The regulations are amended by the addition of the following after section 28:**

**28.1** No person shall operate a business involving the sale or supply of a controlled purchase domestic pesticide unless the person holds a Domestic Pesticide Vendor Business Licence or a Non-domestic Pesticide Vendor Business Licence. Licence mandatory

**23. Section 29 of the regulations is amended**

- (a) in clause (1)(e), by the deletion of the semicolon and the substitution of the words “; or”;
- (b) in clause (1)(f), by the deletion of the words “; or” and the substitution of a period;
- (c) by the revocation of clause (1)(g); and
- (d) in subsection (2),
  - (i) in clause (a), by the deletion of the semicolon and the substitution of the words “; or”;
  - (ii) in clause (b), by the deletion of the words “; or” and the substitution of a period; and
  - (iii) by the revocation of clause (c).

**24. The regulations are amended by the addition of the following after section 30:**

**30.1** No person shall Certificate required

- (a) sell, or offer to sell, a controlled purchase domestic pesticide to another person; or
- (b) provide pesticide related information or recommendations regarding controlled purchase domestic pesticides to another person, unless the person selling or offering to sell such pesticide, or providing such information holds a Domestic Pesticide Vendor Certificate or a Non-domestic Pesticide Vendor Certificate.

**25. Section 39 of the regulations is revoked and the following substituted:**

**39.** (1) Subject to subsection (2), no person shall apply a pesticide, Wind speed

- (a) in a dry formulation; or
- (b) in a liquid formulation that is under pressure,

when the wind speed, measured at the point of application, exceeds 20 km/h.

(2) Subsection (1) does not apply to the application of a herbicide using a wiper, brush or roller. Exception

**26. Schedule 2 of the regulations is amended**

**(a) by the deletion of the words “An excluded pesticide is any pesticide that is used,” and the substitution of the words “Pesticides are designated as excluded pesticides, where the pesticide is used”; and**

**(b) by the revocation of clause (g) and the substitution of the following:**

(g) as wood preservatives;

**27. Schedule 3 of the regulations is amended by the addition of Forms 14-17, as set out in the Schedule, following Form 13.**

**28. Schedule 4 of the regulations is revoked and Schedule 4 as set out in the Schedule is substituted.**

**29. The regulations are amended by the addition of Schedules 7 and 8, as set out in the Schedule, following Schedule 6.**

**30. (1) Subject to subsection (2), these regulations come into force on March 1, 2007.**

**(2) Sections 4 to 8, 20 and this subsection are deemed to have come into force on January 1, 2007.**

## SCHEDULE

## FORM 14

**APPLICATION FOR DOMESTIC PESTICIDE VENDOR BUSINESS LICENCE**

Under subsection 28.1 of the *Pesticide Control Act* Regulations, a person who operates a business involving the sale or supply of a controlled purchase domestic pesticide must hold a Domestic Pesticide Vendor Business Licence or a Non-Domestic Pesticide Vendor Business Licence.

Personal information on this form is collected under section 13.1 of the *Pesticide Control Act* Regulations as it relates directly to and is necessary for an application for a Domestic Pesticide Vendor Business Licence. If you have any questions about this collection of personal information, you may contact the Manager of the Pesticide Regulatory Program, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Applicant Contact Information	
Company Name:	
Contact Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 (Where applicant is a partnership or a corporation, the signature of a partner, or an authorized officer of the corporation is required).

Licence Details	
<input type="checkbox"/> New Applicant	<input type="checkbox"/> Renewal of Licence Present Licence Number: _____
Certified Vendor Information (Domestic Pesticide Vendor Certificate Holder)	
Name: _____	
Phone:	Fax:
Mailing Address: _____	
Postal Code:	Email: _____
Certified Vendor Status: <input type="checkbox"/> Owner of Company <input type="checkbox"/> Employee of Company	
Certificate Expiry Date: _____	
Pesticide Vendor Certificate # _____	

Signature of Certified Vendor: \_\_\_\_\_ Date: \_\_\_\_\_  
 (if not company owner)

Display Area and Storage Facility (check box to indicate size)		
<input type="checkbox"/> surface area up to 5 m <sup>2</sup>	<input type="checkbox"/> surface area between 5 m <sup>2</sup> and 14 m <sup>2</sup>	<input type="checkbox"/> surface area greater than 14 m <sup>2</sup>
Previous Years Display and Storage Facility Size		
Please indicate the actual area (m <sup>2</sup> ) used to display or store controlled purchase domestic pesticides in the previous licence year:		
_____ year _____ m <sup>2</sup>		

The application fee for a Domestic Pesticide Vendor Business Licence is as follows:	
(a) where the maximum surface area for the calendar year of any shelf, or indoor or outdoor floor space used to display or store controlled purchase domestic pesticides is up to 5 m <sup>2</sup>	\$100
(b) where the maximum surface area for the calendar year of any shelf, or indoor or outdoor floor space used to display or store controlled purchase domestic pesticides is between 5 m <sup>2</sup> and 14 m <sup>2</sup>	\$250
(c) where the maximum surface area for the calendar year of any shelf, or indoor or outdoor floor space used to display or store controlled purchase domestic pesticides is greater than 14 m <sup>2</sup>	\$500
<b>The size of display areas and storage facilities for the previous calendar year must be included with the application.</b>	

<b>Method of Payment</b> (Check appropriate box)	<b>Please forward application and payment to:</b>
<input type="checkbox"/> Cheque	Department of Environment, Energy and Forestry
<input type="checkbox"/> Money Order	Pollution Prevention Division
<input type="checkbox"/> Cash or Debit Card	Pesticide Regulatory Program
<input type="checkbox"/> Credit Card	PO Box 2000, 11 Kent Street
	Charlottetown, PE C1A 7N8
<b>Amount Enclosed: \$ _____</b>	<b>Tel: (902) 368-5474</b>

**Cheques or money orders should be made payable to the Provincial Treasurer.  
 Domestic Pesticide Vendor Licences will be mailed to the applicant's address above.  
 Please allow two weeks for delivery.**

**FORM 15**

**APPLICATION FOR DOMESTIC PESTICIDE VENDOR CERTIFICATE**

Under section 30.1 of the *Pesticide Control Act* Regulations, a person who sells controlled purchase domestic pesticides to another person or while acting as an employee of a business that is licensed to sell controlled purchase domestic pesticides and who provides information or recommendations regarding a controlled purchase domestic pesticide to another person, must hold a Domestic Pesticide Vendor Certificate or a Non-domestic Pesticide Vendor Certificate.

Personal information on this form is collected under section 14.1 of the *Pesticide Control Act* Regulations as it relates directly to and is necessary for an application for a Domestic Pesticide Vendor Certificate. If you have any questions about this collection of personal information, you may contact the Manager of the Pesticide Regulatory Program, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Applicant Contact Information	
Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Office Use Only
Examination Date:
Examination Mark:
Certificate Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied

- The application fee for a Domestic Pesticide Vendor Certificate is \$75 per certificate
- Prior to a certificate being issued, the applicant must successfully complete a written examination approved by the Director, with a mark in the examination of not less than 75%.

<b>Method of Payment</b> (Check appropriate box)	<b>Please forward application and payment to:</b>
<input type="checkbox"/> Cheque	Department of Environment, Energy and Forestry
<input type="checkbox"/> Money Order	Pollution Prevention Division
<input type="checkbox"/> Cash or Debit Card	Pesticide Regulatory Program
<input type="checkbox"/> Credit Card	PO Box 2000, 11 Kent Street
<b>Amount Enclosed: \$</b> _____	Charlottetown, PE C1A 7N8
	<b>Tel: (902) 368-5474</b>

**Cheques or money orders should be made payable to the Provincial Treasurer. Domestic Pesticide Vendor Certificates will be mailed to applicant's address above. Please allow two weeks for delivery.**

**FORM 16**

**DOMESTIC PESTICIDE VENDOR BUSINESS LICENCE**

Province of Prince Edward Island Department of Environment, Energy and Forestry  <b>Domestic Pesticide Vendor Business Licence</b>  This certifies that a licence was issued by the Minister to  (Company Name)  to operate a business involving the sale or supply of a controlled purchase domestic pesticide in the Province of Prince Edward Island pursuant to section 13.1 of the <i>Pesticides Control Act</i> Regulations.
Licence Number: ..... Issue Date: ..... Expiry Date: ..... Minister: .....

FORM 17

**DOMESTIC PESTICIDE VENDOR CERTIFICATE**

DOMESTIC PESTICIDE VENDOR CERTIFICATE	
Name: ..... Address: ..... Phone: ..... Certificate Number: ..... Expiry Date: ..... Minister: .....	<div style="border: 1px solid black; width: 100%; height: 100%; display: flex; align-items: center; justify-content: center;">                 Photo here             </div>

**SCHEDULE 4**

**APPLICATION FEES**

**1 LICENCES**

**Non-domestic Pesticide Vendor Business Licence**

(a) where up to 10,000 kg of active ingredients sold in the previous year	\$100
(b) where between 10,001 kg and 30,000 kg of active ingredients sold in the previous year	\$500
(c) where between 30,001 kg and 50,000 kg of active ingredients sold in the previous year	\$1,000
(d) where over 50,000 kg of active ingredients sold in the previous year	\$2,500

**Pesticide Applicator Business Licence**

\$200 per class of licence

**Domestic Pesticide Vendor Business Licence**

(a) where the maximum surface area for the calendar year of any shelf, or indoor or outdoor floor space used to display or store controlled purchase domestic pesticides is up to 5 m <sup>2</sup> *	\$100
(b) where the maximum surface area for the calendar year of any shelf, or indoor or outdoor floor space used to display or store controlled purchase domestic pesticides is between 5 m <sup>2</sup> and 14 m <sup>2</sup> **	\$250
(c) where the maximum surface area for the calendar year of any shelf, or indoor or outdoor floor space used to display or store controlled purchase domestic pesticides is greater than 14 m <sup>2</sup>	\$500

**2 CERTIFICATES**

Non-Domestic Pesticide Vendor Certificate	\$75
***Pesticide Applicator Certificate	\$75 per class of certificate
Loader/Mixer Certificate	\$50
Domestic Pesticide Vendor Certificate	\$75

**3 PERMITS**

Pesticide Application Permit	\$50
Pesticide Purchase Permit	\$50

NOTES:

- \* 5m<sup>2</sup> = 54 sq feet
- \*\* 14m<sup>2</sup> = 151 sq feet

\*\*\* The fee for a Class D Pesticide Applicator Certificate is waived if the person holds a valid Class A Pesticide Applicator Certificate or a valid AG-1 Pesticide Use Certificate.

**SCHEDULE 7  
EXEMPTED PESTICIDES**

The pesticides listed below are designated as exempted pesticides.

Insecticides

1. Bacillus thuringiensis kurstaki (Btk) for control of caterpillars;
2. boron compounds for control of ants;
3. d-phenothrin for control of flying insects;
4. d-trans-allethrin, also referred to as d-cis, trans allethrin for control of mosquitoes;
5. fatty acids for control of insects
6. insect bait stations for control of crawling insects;
7. insect pheromones for control of insects;
8. insect repellents to repel biting insects (mosquitoes and black flies);
9. mineral oils for insect and mite control;
10. n-octyl bicycloheptene dicarboximide for control of crawling insects;
11. naphthalene for fabric protection, also known as moth balls;
12. paradichlorobenzene for fabric protection, also known as moth balls;
13. permethrin;
14. pesticides in aerosol containers;
15. pesticides registered under the *Pest Control Products Act* (Canada) for application to pets to control insects such as fleas;
16. piperonyl butoxide to control flying insects;
17. pyrethrins to control insects;
18. resmethrin to control flying insects;
19. silica aerogel, also referred to as silica gel, amorphous silica and amorphous silica gel to control ants, earwigs, and other crawling insects;
20. silicon dioxide, also referred to as “diatomaceous earth” to control crawling insects;
21. insecticidal soaps;
22. tetramethrin to control house and garden insects;
23. pesticides for injection to tree stems or stumps;
24. sticky media;

Herbicides

25. acetic acid for nonselective control of weeds;
26. corn gluten meal;
27. herbicidal soaps;

Animal Repellents

28. animal repellents, except thiram – to keep dogs and cats out of areas, such as flower beds;
29. capsaicin;

Preservatives

30. anti-fouling paints, to reduce attachment of barnacles and other marine organisms to boats and wharves;
31. antisapstain wood preservatives for control of diseases in wood
32. asphalt solids (pruning paints);

Chemicals

33. ferric phosphate to control slugs and snails;
34. sulphur, including lime sulphur, sulphide sulphur, and calcium polysulphide to control diseases on ornamental trees.



**SCHEDULE 8**  
**SELF-SELECT DOMESTIC PESTICIDES**

The pesticides listed below are designated as self-select domestic pesticides.

(1) The domestic pesticide is marketed in a form requiring no preparation or dilution and in a volume or weight equal to or less than one litre or one kilogram, respectively, and it is intended for one or more of the following uses exclusively:

- (a) as a fabric protection, if the product is composed of paradichlorobenzene or naphthalene;
- (b) as ant, cockroach or earwig bait, if the container protects users against direct contact with the product;
- (c) as an animal repellent, if the product is not polymerized butene-based or thiram-based;
- (d) as flea-repellent collars or tags for dogs and cats;
- (e) as insect repellent to be applied on human beings;
- (f) as a pesticide for local treatment that does not contain any of the following active ingredients:
  - (i) carbaryl,
  - (ii) dicofol,
  - (iii) malathion,
  - (iv) 2,4-D (all chemical forms),
  - (v) chlothol dimethyl,
  - (vi) MCPA (all chemical forms),
  - (vii) mecoprop (all chemical forms),
  - (viii) benomyl,
  - (ix) captan,
  - (x) chlorothalonil,
  - (xi) iprodione,
  - (xii) quintozene,
  - (xiii) thiophanate-methyl.

(2) The domestic pesticide is marketed in a form requiring no preparation or dilution and in a volume or weight equal to or less than one litre or one kilogram, respectively, and it is composed of a mixture that contains one or more of the following active ingredients exclusively:

- (a) D-Trans allethrin;
- (b) tetramethrin;
- (c) resmethrin;
- (d) pyrethrin;
- (e) piperonyl butoxide;
- (f) methopren;
- (g) n-octyl bicycloheptene dicarboximide;
- (h) di-n-propyl isocinchomeronate;
- (i) n-octyl hydroxyethyl-2 sulphide;
- (j) D-cis, trans allethrin;
- (k) permethrin;
- (l) D-phenothrin;
- (m) boric acid;
- (n) disodium octaborate tetrahydrate;
- (o) sulphur;
- (p) calcium sulphide or calcium polysulphide;
- (q) ferric phosphate;
- (r) spinosad;
- (s) acetamipride;
- (t) borax.

(3) The domestic pesticide is composed of a mixture containing one or more of the following active ingredients exclusively:

- (a) bacillus thuringiensis Berliner var Kurstaki;
- (b) diatomaceous earth;
- (c) soap.

(4) The domestic pesticide is a mixture that

- (a) requires no preparation or dilution; and
- (b) contains soap or diatomaceous earth as the only active ingredient.

**EXPLANATORY NOTES**

**SECTION 1** adds some definitions, removes an out-dated definition and clarifies the application of these regulations.

**SECTION 2** corrects a reference to the types of conditions that can be placed on a licence or certificate.

**SECTION 3** adds references to spot treatments.

**SECTION 4** deems an AG-1 Pesticide Use Certificate to be issued under these regulations.

**SECTION 5** adds another class of Pesticide Applicator Certificate in respect of applying a herbicide by using a wiper, brush, roller or by a

spot treatment. The section also specifies how a person who holds a Class A can obtain a Class D Pesticide Applicator Certificate.

**SECTION 6** corrects the reference to the appropriate Schedule from Schedule 3 to Schedule 5.

**SECTION 7** removes a reference to a certified assistant.

**SECTION 8** clarifies provisions respecting an AG-2 Pesticide Use Certificate.

**SECTION 9** clarifies the expiry of Level 2 Biting Fly Pesticide Use Certificate and an AG-2 Pesticide Use Certificate.

**SECTION 10** adds a reference to a renewal of a licence and requires a licence to be displayed at a store or facility.

**SECTION 11** adds provisions respecting the issuance and renewal of a Domestic Pesticide Vendor Business Licence.

**SECTION 12** adds provisions respecting the issuance and renewal of a Domestic Pesticide Vendor Business Certificate.

**SECTION 13** adds a reference to a golf course.

**SECTION 14** clarifies the flooring requirements for the storage of pesticides.

**SECTION 15** adds provisions respecting the duties of a person who holds a Domestic Pesticide Vendor Business Licence and respecting the storage of domestic pesticides.

**SECTION 16** requires every person dealing with pesticides to follow the instructions on the package label.

**SECTION 17** requires persons holding a licence, certificate or permit to comply with any terms or conditions placed on such licence, certificate or permit.

**SECTION 18** adds a reference to a container that held a pesticide.

**SECTIONS 19 and 20** add references to the *PCP Act* (Canada) Number.

**SECTION 21** removes a reference to a certified assistant.

**SECTION 22** prohibits a person from operating a business selling or supplying a controlled purchase domestic pesticide unless the person holds a Domestic Pesticide Vendor Business Licence or a Non-domestic Pesticide Vendor Business Licence.

**SECTION 23** removes a reference to a certified assistant.

**SECTION 24** prohibits the sale or offering to sell of controlled purchase domestic pesticides unless the seller holds a Domestic Pesticide Vendor Business Certificate or a Non-domestic Pesticide Vendor Business Certificate.

**SECTION 25** deals with wind speed during the application of a pesticide and allows an exception for the application of a herbicide by using a wiper, brush or roller or by a spot treatment.

**SECTION 26** clarifies the application of Schedule 2.

**SECTION 27** adds Forms 14-17.

**SECTION 28** replaces Schedule 4.

**SECTION 29** adds Schedules 7 and 8.

**SECTION 30** provides for the commencement of these regulations.

## EC2007-72

**WILDLIFE CONSERVATION ACT  
WILDLIFE MANAGEMENT AREAS REGULATIONS  
AMENDMENT**

Pursuant to clause 16(1)(c) of the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1, Council made the following regulations:

**1. Schedule A of the *Wildlife Conservation Act* Wildlife Management Areas Regulations (EC225/00) is amended by the revocation of PARCEL 10 and the substitution of the following:**

**PARCEL 10:**

Includes all lands identified as provincial property number 266130, consisting of approximately 32.47 hectares (80.23 acres) of land, a little more or less, and thus being listed in a Deed of Conveyance dated the 1st day of March, A. D. 1994 from the Prince Edward Island Agricultural Development Corporation to the Government of Prince Edward Island as represented by the Minister of Transportation and Public Works and Registered as Document Number 786 with the Registrar of Deeds for Prince County on the 2nd day of March, A. D. 1994 in Book 585, Page 58. **EXCEPTING THEREOUT AND THEREFROM, ALL THAT PARCEL OF LAND** situate, lying and being at St. Chrysostome, Lot or Township No. 15, in Prince County, Province of Prince Edward Island, bounded and described as follows, that is to say: **COMMENCING** at a point situate on the West boundary of Arsenault Mill Road, as the same is shown on a plan of survey prepared by Locus Surveys Ltd., entitled "Plan of Survey Showing Lot 06-1 & Parcel A, Being a Subdivision of Lands of Government of P.E.I, at St. Chrysostome" and certified by James A. Clow, P.E.I.L.S. on January 16, 2006, as Drawing No. 05416, said point being designated by legal survey marker no. 2763 having coordinates Easting 222606.306 and Northing 433596.421; **THENCE** on an azimuth of 191° 43' 32" for the distance of 65.81 feet to calculated point no. 2764; **THENCE** on an azimuth of 189° 15' 40" for the distance of 34.19 feet to survey marker no. 2765; **THENCE** on an azimuth of 269° 20' 35" for the distance of 335.10 feet to survey marker no. 2761; **THENCE** on an azimuth of 3° 40' 13" for the distance of 100.00 feet to legal survey marker no. 2762; **THENCE** on an azimuth of 89° 37' 59" for the distance of 347.56 feet to legal survey marker no. 2763 being the point at the place of commencement.

**BEING** and intended to be **Parcel A** as shown on attached sketch, containing an area of 0.77 acres of land, a little more or less, to be appended to land of the Grantee, Marcel Arsenault (PID #420133).

**ALSO EXCEPTING THEREOUT AND THEREFROM, ALL THAT PARCEL OF LAND** situate, lying and being at St. Chrysostome, Lot or Township No. 15, in Prince County, Province of Prince Edward Island, bounded and described as follows, that is to say: **COMMENCING** at a point situate on the North boundary of Route No. 11, as the same is shown on a plan of survey prepared by Locus Surveys Ltd. entitled "Plan of Survey Showing Lot 06-1 & Parcel A, Being a Subdivision of Lands of Government of P.E.I, at St. Chrysostome" and certified by James A. Clow, P.E.I.L.S. on January 16, 2006, as Drawing No. 05416, said point being designated by legal survey marker no. 2770 having coordinates Easting 222937.875 and Northing 433432.518; **THENCE** on an azimuth of 264° 46' 02" for the distance of 300.00 feet to legal survey marker no. 2766; **THENCE** on an azimuth of 9° 15' 40" for the distance of 116.33 feet to calculated point no. 2767; **THENCE** on an azimuth of 11° 43' 32" for the distance of 183.68 feet to legal survey marker no. 2768; **THENCE** on an azimuth of 84° 45' 15" for the distance of 300.00 feet to legal survey marker no. 2769; **THENCE** on an azimuth of 190° 45' 57" for the distance of 300.00 feet to legal survey marker no. 2770 being the point at the place of commencement.

**BEING** and intended to be **Lot 06-1** as shown on the attached sketch, containing an area of 2.00 acres of land, a little more or less.

**AZIMUTHS** and coordinates being referenced to the Prince Edward Island Stereographic Projection Coordinate System, distance and coordinates being expressed in feet.

**2. These regulations come into force on February 10, 2007**

#### **EXPLANATORY NOTES**

**SECTION 1** The amendment provides for excepting out of the existing Wildlife Management Area through a subdivision and de-designation of 1.12 hectares (2.77acres) of a provincially owned property.

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