

EC2004-520

EXECUTIVE COUNCIL ACT
COMMITTEE OF THE EXECUTIVE COUNCIL
THE AGENDA AND PRIORITIES COMMITTEE
APPOINTMENTS

Pursuant to subsection 9(2) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council confirmed the following appointments to the Agenda and Priorities Committee, effective 5 October 2004:

as chairperson and member

Honourable Patrick G. Binns
Premier

as members

Honourable P. Mitchell Murphy
Honourable Elmer E. MacFadyen
Honourable Kevin J. MacAdam
J. Wilfred Arsenault, M.L.A.
Cletus J. Dunn, M.L.A.
James D. Bagnall, M.L.A.

Order-in-Council EC2003-541 of 14 October 2003 is rescinded effective 5 October 2004.

EC2004-521

EXECUTIVE COUNCIL ACT
COMMITTEE OF THE EXECUTIVE COUNCIL
THE LEGISLATIVE REVIEW COMMITTEE
APPOINTMENTS

Pursuant to subsection 9(2) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council confirmed the following appointments to the Legislative Review Committee, effective 5 October 2004:

as chairperson and member

James D. Bagnall, M.L.A.

as vice-chairperson and member

Wayne A. Collins, M.L.A.

as members

Honourable Mildred A. Dover
Honourable Philip W. Brown

as an ex-officio member

Honourable Patrick G. Binns

Order-in-Council EC2003-542 of 14 October 2003 is rescinded effective 5 October 2004.

EC2004-522

HEALTH AND COMMUNITY SERVICES ACT KINGS HEALTH REGION BOARD APPOINTMENT

Pursuant to clause 14(3)(b) of the Health and Community Services Act Regulations (EC598/99), Council made the following appointment:

| NAME | TERM OF APPOINTMENT |
|----------------------------------|----------------------------|
| Kevin Brothers | 28 September 2004 |
| Little Harbour | to |
| (vice Weston Rose, term expired) | 31 December 2006 |

EC2004-523

PRINCE EDWARD ISLAND LANDS PROTECTION ACT PETITION TO ACQUIRE A LAND HOLDING RICHARD ALLARD (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 Richard Allard of Brantford, Ontario to acquire a land holding of approximately forty-two (42) acres of land in Lot 62, Queens County, Province of Prince Edward Island, being acquired from Wendy Jean Rehberg 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.

EC2004-524

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ANTOINE BOUREL AND ANDREA BOUREL
 (DENIAL)

Council, having under consideration an application (#N4282) for acquisition of a land holding under authority of section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap L-5, denied permission to Antoine Bourel and Andrea Bourel, both of Sag Harbor, New York to acquire a land holding of approximately two decimal two five (2.25) acres of land in Lot 2, Prince County, currently owned by Heather Lynn Nageleisen of Elmira, Ontario.

EC2004-525

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ROBIN RYAN AND WAYNE RYAN
 (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 Robin Ryan and Wayne Ryan, both of Worcester, Massachusetts to acquire a land holding of approximately six decimal one four (6.14) acres of land in Lot 17, Prince County, Province of Prince Edward Island, being acquired from Gerry Vonk of Summerside, 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.

EC2004-526

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 JULIE A. SANJENIS
 (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 Julie A. Sanjenis of New York, New York to acquire a land holding of approximately thirty-one (31) acres of land in Lot 46, Kings County, Province of Prince Edward Island, being acquired from Beth Forsthoff and Doug Forsthoff, both of East Durham, New York.

Further, Council noted that the said land holding, being Provincial Property No. 426999, 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.

EC2004-527

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 MICHAEL L. SANJENIS
 (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 Michael L. Sanjenis of Ridgefield, Connecticut to acquire a land holding of approximately fifteen (15) acres of land in Lot 46, Kings County, Province of Prince Edward Island, being acquired from Eugene Croken and Suzanne Croken, both of South Lake, Prince Edward Island.

EC2004-528

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 EZIO SAVINI AND JANICE SAVINI
 (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 Ezio Savini and Janice Savini, both of Mississauga, Ontario to acquire a land holding of approximately one hundred and five decimal one (105.1) acres of land in Lot 17, Prince County, Province of Prince Edward Island, being acquired from Roger Wells and Margaret Wells, both of Summerside, 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.

EC2004-529

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 GERALD E. SMITH AND ANNIS D. SMITH
 (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 Gerald E. Smith and Annis D. Smith, both of Fort Myers, Florida to acquire a land holding of approximately zero decimal eight six (0.86) acres of land in Lot 22, Queens County, Province of Prince Edward Island, being acquired from Seawood Estates Inc. of Summerside, Prince Edward Island.

EC2004-530

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 BYRON ARTHUR WHITE
 (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 Byron Arthur White of Bracebridge, Ontario to acquire a land holding of approximately twenty-four (24) acres of land in Lot 64, Kings County, Province of Prince Edward Island, being acquired from Lorne Richards of Abney, 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.

EC2004-531

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 REV. DONALD WILKINSON, JOY WILKINSON, AND
 MARIAN EMILY JANE WILKINSON
 (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 Rev. Donald Wilkinson, Joy Wilkinson, and Marian Emily Jane Wilkinson, all of Saint John, New Brunswick to acquire a land holding of approximately fifty-eight decimal six five (58.65) acres of land in Lot 57, Queens County, Province of Prince Edward Island, being acquired from Lawrence MacLean and Brenda MacLean, both of Belfast, 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.

EC2004-532

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 LISA YOUNG AND BILL YOUNG
 (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 Lisa Young and Bill Young, both of Collingwood, Ontario to acquire an interest in a land holding of approximately one (1) acre of land in Lot 58, Queens County, Province of Prince Edward Island, being acquired from Donald MacDonald and Reg MacDonald, both of Mount Stewart, Prince Edward Island.

EC2004-533

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ARTHUR W. WOOD 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 Arthur W. Wood Inc. of Souris, Prince Edward Island to acquire a land holding of approximately fourteen decimal two seven (14.27) acres of land in Lot 43, Kings County, Province of Prince Edward Island, being acquired from Claude G. Dixon and Joyce Dixon, both of Souris, 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.

EC2004-534

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 GORRILL PRODUCE LTD.
 (TO RESCIND)

Council, having under consideration Order-in-Council EC2002-104 of 5 March 2002, rescinded the said Order forthwith, thus rescinding permission for Gorrill Produce Ltd. of O'Leary, Prince Edward Island to acquire sixty-eight decimal eight one (68.81) acres of land in Lot 8, Prince County, Prince Edward Island from Charles Gorrill of O'Leary, Prince Edward Island.

EC2004-535

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 INTERNATIONAL GENETICS PEI 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 International Genetics PEI Ltd. of Mount Stewart, Prince Edward Island to acquire a land holding of approximately one (1) acre of land in Lot 58, Queens County, Province of Prince Edward Island, being acquired from Donald MacDonald and Reg MacDonald, both of Mount Stewart, Prince Edward Island.

EC2004-536

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 OCEANVIEW ESTATES HOMEOWNERS ASSOCIATION 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 Oceanview Estates Homeowners Association Ltd. of Rusticoville, Prince Edward Island to acquire a land holding of approximately two decimal nine one (2.91) acres of land in Lot 24, Queens County, Province of Prince Edward Island, being acquired from Blue Heron Enterprises Inc. of Rusticoville, Prince Edward Island and Herbert Korthoff of Stellenboach, Republic of South Africa.

EC2004-537

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 OCEANVIEW ESTATES HOMEOWNERS ASSOCIATION 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 Oceanview Estates Homeowners Association Ltd. of Rusticoville, Prince Edward Island to acquire a land holding of approximately six decimal zero nine (6.09) acres of land in Lot 24, Queens County, Province of Prince Edward Island, being acquired from Oceanview Estates Ltd. and Blue Heron Enterprises Inc., both of Rusticoville, Prince Edward Island.

EC2004-538

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 URBAINVILLE FARMS 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 Urbainville Farms Ltd. of Wellington, Prince Edward Island to acquire a land holding of approximately forty-five decimal one eight (45.18) acres of land in Lot 13, Prince County, Province of Prince Edward Island, being acquired from Harmony Farms Ltd. of Miscouche, 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.

EC2004-539

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
URBAINVILLE FARMS 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 Urbainville Farms Ltd. of Wellington, Prince Edward Island to acquire a land holding of approximately one hundred decimal one two (100.12) acres of land in Lot 14, Prince County, Province of Prince Edward Island, being acquired from Michael Corcoran of Miscouche, 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.

EC2004-540

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 086959, LOT 19, 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 seventy-five decimal two five (75.25) acres of land, being Provincial Property No. 086959 located in Lot 19, Prince County, Prince Edward Island and currently owned by Adamshill Farms Ltd. of Margate, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately zero decimal zero eight (0.08) acres and is subject to the subdivided parcel being consolidated with Provincial Property No. 890426. Further, Council 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 28 September 2004.

EC2004-541

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 282251, LOT 26, 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 twenty-five (25) acres of land, being Provincial Property No. 282251 located in Lot 26, Prince County, Prince Edward Island and currently owned by Eric Hammill and Helen Hammill, both of Newton, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately zero decimal one seven (0.17) acres and is subject to the subdivided parcel being consolidated with the adjacent Provincial Property No. 282244. Further, Council 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 28 September 2004.

EC2004-542

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 030015, LOT 4, 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 seventy-two (72) acres of land, being Provincial Property No. 030015 located in Lot 4, Prince County, Prince Edward Island and currently owned by John Hardy and Louise Hardy, both of Alberton, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately one decimal six five (1.65) 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 28 September 2004.

EC2004-543

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 181131, LOT 42, KINGS COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT
(TO RESCIND)

Council, having under consideration Order-in-Council EC2004-105 of 17 February 2004, rescinded the said Order forthwith, thus rescinding permission to amend the condition of non-development use in respect of Provincial Property No. 181131, located in Lot 42, Kings County, and currently owned by Karl Hess and Thelma Hess.

EC2004-544

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 181131, LOT 42, KINGS 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 (70) acres of land, being Provincial Property No. 181131 located in Lot 42, Kings County, Prince Edward Island and currently owned by Karl Hess and Thelma Hess, both of Farmington, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately nine decimal nine (9.9) 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 28 September 2004.

EC2004-545

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 663104, LOT 19, PRINCE COUNTY
SUBDIVISION RESTRICTION
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 prohibiting subdivision in respect of approximately seven decimal six four (7.64) acres of land, being Provincial Property No. 663104 located in Lot 19, Prince County, Prince Edward Island and currently owned by Red Bridge Farm & Landscaping Ltd. of Summerside, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately six (6) acres and is subject to the subdivided parcel being consolidated with Provincial Property No. 082511. Further, Council determined that the condition preventing subdivision shall continue to apply to the parcel of six (6) acres, as well as to the remaining land.

This Order-in-Council comes into force on 28 September 2004.

EC2004-546

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 014357, LOT 2, 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 eight (108) acres of land, being Provincial Property No. 014357 located in Lot 2, Prince County, Prince Edward Island and currently owned by Ronnie Rennie and Dale Rennie, both of Elmsdale, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately two decimal zero five (2.05) 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 28 September 2004.

EC2004-547

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 012435, LOT 2, PRINCE COUNTY
SUBDIVISION RESTRICTION
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 prohibiting subdivision in respect of approximately forty-one (41) acres of land, being Provincial Property No. 012435 located in Lot 2, Prince County, Prince Edward Island and currently owned by West Prince Snowmobile Club Inc. of Tignish, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately ten decimal one (10.1) acres and is subject to the subdivided parcel being consolidated with the adjacent Provincial Property No. 012443. Further, Council determined that following subdivision, the condition preventing subdivision shall continue to apply to the new consolidated parcel as well as to the remaining land.

This Order-in-Council comes into force on 28 September 2004.

EC2004-548

**REVENUE TAX ACT
REGULATIONS
AMENDMENT**

Pursuant to subsections 57(1) and(2) of the *Revenue Tax Act* R.S.P.E.I. 1988, Cap. R-14, Council made the following regulations:

1. (1) Subsection 1(2) of the *Revenue Tax Act* Regulations (EC262/60) is amended

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

(b) by the addition of the following:

(c) the following persons are authorized to make a written appraisal of the value of an all terrain vehicle, snowmobile or watercraft:

- (i) a sport vehicle dealer who is registered in the province to sell new sport vehicles at retail, and
- (ii) an appraiser licensed under the *Insurance Act* R.S.P.E.I. 1988, Cap. I-4.

(2) Subsection 1(2.1) of the regulations is revoked and the following is substituted:

(2.1) A transfer of a motor vehicle, all terrain vehicle, snowmobile or watercraft is, for the purpose of subclause 1(d)(iv) of the Act, a certain private transfer of a motor vehicle, all terrain vehicle, snowmobile or watercraft between a person and members of his family if

Transfers of motor vehicles, all terrain vehicles, snowmobiles or watercraft between family members

(a) the person who is the transferor

(i) has owned the motor vehicle, all terrain vehicle, snowmobile or watercraft for a minimum of twelve months prior to the date of the transfer, or

(ii) has

(A) owned the motor vehicle, all terrain vehicle, snowmobile or watercraft for less than twelve months prior to the date of the transfer, and

(B) paid the tax on the purchase price or, if acquired in a private transfer, paid the tax on the greater of the purchase price and the value that was set out in the Canadian Red Book or Canadian Sport Vehicle Blue Book, when he or she acquired the motor vehicle, all terrain vehicle, snowmobile or watercraft;

(b) the transferor has made the transfer to a member of his or her family; and

(c) the purchase price paid by the transferee is less than the value that is set out in the Canadian Red Book or the Canadian Sport Vehicle Blue Book for the motor vehicle, all terrain vehicle, snowmobile or watercraft.

2. These regulations come into force on October 9, 2004.

EXPLANATORY NOTES

SUBSECTION 1(1) enables the appraisal value of all terrain vehicles, snowmobiles or watercraft to be determined by the written appraisal of a sport vehicle dealer or an appraiser.

SUBSECTION 1(2) indicates when the purchase price of a motor vehicle, all terrain vehicle, snowmobile or watercraft will be used as the fair value of the vehicle or craft in respect of a private transfer between a person and a member of his or her family.

SECTION 2 provides for the commencement of these regulations.

EC2004-549**SMOKE-FREE PLACES ACT
DECLARATION RE**

Under authority of section 21 of the *Smoke-Free Places Act* Stats. P.E.I. 2002, 4th Session, c. 25 Council ordered that a Proclamation do issue proclaiming subsection 2(3) of the said "*Smoke-Free Places Act*" to come into force effective 29 September 2004.

EC2004-550**SUMMARY PROCEEDINGS ACT
TICKET REGULATIONS
AMENDMENT**

Pursuant to subsection 10(3) of the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9, Council made the following regulations:

1. Schedule 2 of the *Summary Proceedings Act* Ticket Regulations (EC321/01) is amended by the addition of the following in the appropriate columns after the table entitled "ENVIRONMENTAL PROTECTION ACT R.S.P.E.I. 1988, Cap. E-9":

**ENVIRONMENTAL PROTECTION ACT
Air Quality Regulations
(EC377/92)**

| | | |
|---|---------|--|
| 1 Discharging contaminant into air from any industrial source, incinerator or fuel-burning equipment without permit | 2(1) | \$200 (individual) 1000 (corporation) |
| 2 Discharging contaminant into air from any industrial source, incinerator or fuel-burning equipment which causes a concentration in the ambient air greater than the maximum concentration specified in permit | 2(2) | 200 (individual) 1000 (corporation) |
| 3 Burning used lubricating oil without permit | 8(1)(a) | 200 (individual) 1000 (corporation) |
| 4 Burning hazardous substances without permit | 8(1)(b) | 200 (individual) 1000 (corporation) |
| 5 Burning biomedical waste without permit | 8(1)(c) | 200 (individual) 1000 (corporation) |
| 6 Burning motor vehicle tires without permit | 8(1)(d) | 200 (individual) 1000 (corporation) |
| 7 Burning animal or human cadavers without permit | 8(1)(e) | 200 (individual) 1000 (corporation) |
| 8 Burning railway ties and wood treated with wood preservatives | 8(1)(f) | 200 (individual) 1000 (corporation) |
| 9 Burning waste materials from building or construction sites or from building demolition without permit unless permitted under the <i>Fire Prevention Act</i> | 8(1)(g) | 200 (individual) 1000 (corporation) |
| 10 Burning trash, garbage, litter or other waste from commercial, industrial or municipal operation | 8(1)(h) | 200 (individual) 1000 (corporation) |
| 11 Burning materials containing rubber or plastic without permit | 8(1)(i) | 200 (individual) 1000 (corporation) |
| 12 Burning spilled oil or oil production by-products without permit except as required for purposes of forest management or fire suppression treatment | 8(1)(j) | 200 (individual) 1000 (corporation) |
| 13 Burning materials disposed of as part of reclamation purposes without permit | 8(1)(k) | 200 (individual) 1000 (corporation) |
| 14 Burning animal manure without permit | 8(1)(l) | 200 (individual) 1000 (corporation) |
| 15 Burning or permitting the burning of waste, garbage or litter at a public disposal site without written authorization of Minister | 8(2) | 200 (individual) 1000 (corporation) |

| | | |
|--|------|--|
| 16 Burning or permitting the burning, in any industrial source, fuel-burning equipment or incinerator which the source, equipment or incinerator was not designed to burn | 8(3) | 200 (individual) 1000 (corporation) |
| 17 Burning or permitting the burning, in any industrial source, fuel-burning equipment, incinerator or fuel or waste at a greater rate than the rate for which the source, equipment or incinerator was designed | 8(4) | 200 (individual) 1000 (corporation) |
| 18 Storing, handling, using or transporting solid, liquid or gaseous material or substance in such manner that a contaminant is discharged into air without permit | 9(1) | 200 (individual) 1000 (corporation) |

2. These regulations come into force on October 9, 2004.

EXPLANATORY NOTES

The amendment adds offence provisions in the *Summary Proceedings Act* Ticket Regulations for the *Environmental Protection Act* Air Quality Regulations.

EC2004-551

**HOUSING CORPORATION ACT
GEORGETOWN HOUSING AUTHORITY
APPOINTMENT**

Pursuant to subsection 10(3) of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1 Council made the following appointment:

| NAME | TERM OF APPOINTMENT |
|--|---|
| Naomi Gotell Georgetown (vice Norma Carroll, term expired) | 28 September 2004 to 21 June 2007 |

EC2004-552

**HOUSING CORPORATION ACT
MOUNT STEWART HOUSING AUTHORITY
VICE-CHAIRPERSON - DESIGNATION**

Under authority of clause 10(3)(d) of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1 Council designated Scott MacDonald of Mount Stewart, Prince Edward Island to be vice-chairperson of the Mount Stewart Housing Authority for the balance of his term as a member, expiring June 21, 2006.

EXECUTIVE COUNCIL _____ 28 September 2004

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 21 of Chapter 25 of the Acts passed by the
Legislature of Prince Edward Island in the 4th Session thereof held in the year
2002 and in the 51st year of Our Reign intituled the "Smoke-Free Places 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 subsection 2(3) of the said Act,
Stats. P.E.I. 2002, 4th Session, c. 25 should come into force on the 29th day of
September, 2004,

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 subsection 2(3) of the said Act being the "Smoke-
Free Places Act" passed in the fifty-first year of Our Reign shall come into force
on the twenty-ninth day of September, two thousand and four 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 28th day of September in
the year of Our Lord two thousand and four and in the fifty-third year of Our
Reign.

By Command,

Acting Clerk of the Executive Council