

EC2005-40

CONSUMER PROTECTION ACT
REGISTRAR OF CREDIT
APPOINTMENT
KATHARINE P. TUMMON
(APPROVED)

Pursuant to section 2 of the *Consumer Protection Act* R.S.P.E.I. 1988, Cap. C-19, Council appointed Katharine P. Tummon as Registrar of Credit effective 1 February 2005.

Order-in-Council EC983/76 of 28 October 1976 is hereby rescinded.

EC2005-41

FINANCIAL ADMINISTRATION ACT
CERTAIN ACCOUNTS RECEIVABLE
UNDER THE
REAL PROPERTY TAX ACT
AUTHORITY TO CANCEL

Pursuant to subsection 26(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council authorized the cancellation of certain accounts receivable under the *Real Property Tax Act* totalling \$119,252.03 (including interest to 31 January 2005) as follows:

SCHEDULE
(REAL PROPERTY TAX ACT, CANCELLATIONS)

ACCOUNT OF	AMOUNT CANCELLED
Affleck, Blair Lawrence	\$ 415.72
Affleck, Blair Lawrence	1,051.14
Arsenault, Joseph Richard and Lynn Ann	1,364.04
Arsenault, Joseph Theodore "Felix"	847.23
Arsenault, Theodore L.	112.36
Avondale Golf Inc.	32,131.32
Avondale Golf Inc.	144.47
Bell, Steve	326.70
Benjamin Construction Ltd.	567.25
Bernard (Brander), Lori Ann	680.03
Bowley, Heath	84.11

Bowness, Bob	79.58
Brehaut, Allan	263.68
Campbell, Margaret Ann	1,165.59
Carmody, Delores Marie	1,186.69
Chaisson, Michael Gordon and Ann Angeline	192.40
Chaisson, Patricia Darlene	931.52
Coates, Gerry Walter and Margaret Elizabeth	1,906.22
Coates, Gerry Walter and Margaret Elizabeth	284.32
Coates, Gerry Walter and Margaret Elizabeth	540.90
Collicutt Dimelow, Belinda	1,954.14
Compton, Gary M. and Darlene E.	3,218.30
Connors, Terrance Gerard and Susan Marguerite	190.65
Coughlin, Archibald Leigh and Sandra Carol	648.97
Curley, Mary	353.71
DesRoches, Michael and Bridges, Michelle	746.66
Dixon, Kenneth and Liane	380.88
Dixon, Kenneth and Liane	813.03
Dooks, Margaret Anne (Margo)	557.58
Doucette, David	2,875.67
Dowling, Lori Ann	82.51
Easter, Darryl	293.59
Evans, Fred and Michelle	431.86
Evans, Fred and Michelle	932.09
Ford, Jean and Wallace	886.02
Gallant, Craig Ancil	69.32
Gallant, Joseph Raymond	176.27
Gallant, Joseph Raymond	35.95
Gallant, Nelson Michael	1,851.53
Gaudet, Blair and Marcella	87.21
Gaudet, Lloyd	293.19
Gautreau, Eldon J. and Pauline H	20,465.26
Giddings, Kenneth	337.56
Gillam, Alexander	294.07
Grant, Michael G.	1,725.15
Harris, Vance	574.90
Hartley, Herbert and Pearl	539.52
Hipsher, James and Elizabeth	2,143.74

Hughes, Eugene	987.65
Jamieson, Roger and Rosalie	416.70
Jamieson, Roger and Rosalie	708.97
Jones, Kirby A.R.	875.08
Knudson, Michael	1,194.30
MacDonald, Carleton M.	108.71
MacDonald, Carleton M.	309.30
MacDonald, James	2,520.51
MacEachern, Donald E.	569.90
MacIntyre, John Joseph	935.98
MacKinnon, Ethel	66.90
MacLeod, Kenneth and Norma	429.52
MacMillan, Earl	353.25
MacMillan, Ivan	1,791.06
Maddix, Joseph "Rene" Benoit	8.75
Maddix, Joseph "Rene" Benoit	819.93
Maddix, Joseph "Rene" Benoit	670.49
Marnik, Philip Mark	861.67
Matheson, Keith Albert	763.99
Maynard, Kevin Donald	240.20
Maynard, Kevin Donald	994.30
McInnis, Daniel A.	286.69
Oatway, Harold and Diane	209.11
Partridge, Susan E.	1,363.51
Periard, Joseph Guy Alain and Belley, Melanie Marie Carole	480.21
Pirch, Russell and Melynda	283.99
Raynor, Gregory and Priscilla	1,535.83
Roberts, Robert and Mary	68.58
Robertson, David W.	382.73
Robinson, John and Betty (Watson)	1,415.91
Robinson, John and Betty (Watson)	940.16
Ross, Darren Ernest and Cathy Lynn	858.58
Ross, Darren Ernest and Cathy Lynn	1,063.22
Skerry, Cecil	2,666.62
Smith, Stephen	1,337.91
Smith, Stephen	184.00
Tanton, Debra Lynn	974.68
Tilman, Francis and Currie, Jessie Lois	602.59

Tweedy, Gordon G. (Trustee)	817.79
Unknown	219.33
Waite, Dennis C. and Mary D.	1,798.15
Wall, John Robert Edwin and Bradford, Rhonda Jean	1,091.81
Watts, Parnell J. and Jane	833.96
Watts, Parnell J. and Jane	<u>987.97</u>
Sub-total	\$123, 265.09
Less: dividends on bankrupt accounts	<u>4,013.06</u>
Total	<u>\$119,252.03</u>

EC2005-42

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GRAHAM DOOKS AND HEATHER DOOKS
(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 Graham Dooks and Heather Dooks, both of Dartmouth, Nova Scotia to acquire a land holding of approximately forty-seven decimal eight six (47.86) acres of land in Lot 12, Prince County, Province of Prince Edward Island, being acquired from George Phillips and Eileen Phillips, both of Ellerslie, 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.

EC2005-43

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ED GIBBS AND DONALD E. GIBBS
(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 Ed Gibbs and Donald E. Gibbs, both of Huntington Beach, California to acquire a land holding of approximately one hundred (100) acres of land in Lot 44, Kings County, Province of Prince Edward Island, being acquired from John Gilmore, Luella Gilmore, Ronald Williams and Viola Williams, all of Port Colborne, Ontario 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.

EC2005-44

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 DAVID KELLY KEITH AND CHARLOTTE KRATCHMER
 (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 David Kelly Keith and Charlotte Kratchmer, both of Summerside, Prince Edward Island to acquire a land holding of approximately twenty decimal two (20.2) acres of land in Lot 18, Prince County, Province of Prince Edward Island, being acquired from George Beirsto and Sharon Beirsto, both of Kensington, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 546580, 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.

EC2005-45

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 SHIZHONG LIU
 (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 Shizhong Liu of Thornhill, Ontario to acquire a land holding of approximately fifty (50) acres of land in Lot 17, Prince County, Province of Prince Edward Island, being acquired from Summerside Beach Resort Inc. of North Carleton, Prince Edward Island.

EC2005-46

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 GARY DONALD MCQUAID
 (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 Gary Donald McQuaid of Woodstock, Ontario to acquire a land holding of approximately zero decimal four (0.4) acres of land in Lot 39, Kings County, Province of Prince Edward Island, being acquired from Anne Daley and Gary Rickerby, both of Toronto, Ontario.

EC2005-47

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DEBORAH TURCOTTE
(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 Turcotte of Barrington, New Hampshire to acquire a land holding of approximately thirty decimal one (30.1) acres of land in Lot 14, Prince County, Province of Prince Edward Island, being acquired from Rockland Arsenault and Lori Lisk, both of Kensington, 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.

EC2005-48

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ARLINGTON TRANSPORT 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 Arlington Transport Ltd. of Arlington, Prince Edward Island to acquire a land holding of approximately one hundred and five (105) acres of land in Lot 14, Prince County, Province of Prince Edward Island, being acquired from Rural Realty Co. Ltd. of Tyne Valley, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property Nos. 733774, 733782 and 780387, 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.

EC2005-49

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
BLUE SHANK TRUCKING 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 Blue Shank Trucking Ltd. of Kensington, Prince Edward Island to acquire a land holding of approximately fifty-five decimal zero nine (55.09) acres of land in Lot 19, Prince County, Province of Prince Edward Island, being acquired from Marvyn Webster of Tyne Valley, Prince Edward Island.

EC2005-50

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PROVINCIALLY OWNED LAND
 AT MONTAGUE, KINGS COUNTY
 EXEMPTION FROM
 IDENTIFICATION FOR NON-DEVELOPMENT USE

Pursuant to section 21 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council determined that upon transfer to the Friends of Harvey Moore Foundation, Inc., land located at Milltown Cross in Lot 61, Kings County, Prince Edward Island, being part of Provincial Property No. 949222, being developed as an interpretive centre and lodge, and currently owned by the Government of Prince Edward Island, as represented by the Minister of Transportation and Public Works, NOT be identified for non-development use under the Land Identification Program established by the *Prince Edward Island Lands Protection Act* Land Identification Regulations (EC606/95).

EC2005-51

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 FRIENDS OF HARVEY MOORE FOUNDATION, 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 the Friends of Harvey Moore Foundation, Inc. of Montague, Prince Edward Island to acquire a land holding of approximately twelve (12) acres of land in Lot 61, Kings County, Province of Prince Edward Island, being acquired from the Government of Prince Edward Island as represented by the Minister of Transportation and Public Works of Charlottetown, Prince Edward Island.

EC2005-52

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 MCGOWAN TRACTOR AND EQUIPMENT (1977) 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 McGowan Tractor and Equipment (1977) Ltd. of Summerville, Prince Edward Island to acquire a land holding of approximately twelve decimal eight seven (12.87) acres of land in Lot 27, Prince County, Province of Prince Edward Island, being acquired from Gary Clow and Deborah Kowalski, both of Freetown, Prince Edward Island.

EC2005-53

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
POWER LINE PORK 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 Power Line Pork Inc. of Albany, Prince Edward Island to acquire a land holding of approximately one hundred and eleven decimal five five (111.55) acres of land in Lot 28, Prince County, Province of Prince Edward Island, being acquired from Herbert James Stewart, Jr. of Borden, Prince Edward Island.

EC2005-54

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SUNDANCE COTTAGES 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 Sundance Cottages Inc. of Cavendish, Prince Edward Island to acquire a land holding of approximately seventeen decimal three six (17.36) acres of land in Lots 23 and 24, Queens County, Province of Prince Edward Island, being acquired from Gary Lowther and Linda Lowther, both of Cavendish, Prince Edward Island.

EC2005-55

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
VALLEY TRUSS & METAL 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 Valley Truss & Metal Ltd. of Kensington, Prince Edward Island to acquire a land holding of approximately zero decimal eight five (0.85) acres of land in Lot 19, Prince County, Province of Prince Edward Island, being acquired from the Government of Prince Edward Island as represented by the Minister of Transportation and Public Works of Charlottetown, Prince Edward Island.

EC2005-56

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WEST PRINCE AUTO GLASS 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 West Prince Auto Glass Ltd. of Union, Prince Edward Island to acquire a land holding of approximately one hundred and two decimal four four (102.44) acres of land in Lot 7, Prince County, Province of Prince Edward Island, being acquired from

Ruby Ramsay of Knutsford, 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.

EC2005-57

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
SPRING VALLEY FARMS LTD.
(APPROVAL)

Pursuant to section 5 and clause 5.3(1)(b) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Spring Valley Farms Ltd. of Spring Valley, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to one thousand (1,000) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Spring Valley Farms Ltd. files a statement with the Island Regulatory and Appeals Commission within one year of the date of this Order and prior to 31 December in every subsequent year disclosing the parcel number, the acreage and the term of lease for each parcel leased during the reporting period covered by the statement.

EC2005-58

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 688879, LOT 34, QUEENS COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
CANCELLATION

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council cancelled the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately forty decimal seven (40.7) acres of land, being Provincial Property No. 688879 located in Lot 34, Queens County, Prince Edward Island and currently owned by Lowell MacDonald of Little York, Prince Edward Island.

This Order-in-Council comes into force on 1 February 2005.

EC2005-59

PROVINCIAL DEBENTURE ISSUE
MAXIMUM AGGREGATE PRINCIPAL AMOUNT \$100,000,000.00

The Executive Council having under consideration the matter of issuing Provincial Debentures:

WHEREAS by virtue of the *Loan Act* 2004, Stats., P.E.I. 2004, c.41 and the *Loan Act (No. 2)* 2004, Stats., P.E.I. 2004, c.8, (the "*Loan Acts*") and the *Financial Administration Act*, R.S.P.E.I. 1988, Cap. F-9, as amended, the Lieutenant Governor in Council is authorized to raise from time to time by way of loan such sums of money as may be deemed expedient for any or all of the purposes mentioned in the said *Acts*, inter alia, for discharging the cost of carrying

on public works authorized by the Legislature, for making advances to crown corporations or reporting entities and the payment of any indebtedness of the Province, provided that the principal amount of any securities issued and the amount of temporary loans raised under the authority of these *Acts*, including any securities issued for the retirement of the said securities or temporary loans, at any time outstanding, shall not exceed in the whole the sum of Two Hundred Million Dollars (\$200,000,000.00);

WHEREAS amounts aggregating \$64,407,500.00 authorized by Order-in-Council No. EC2004-517 have been borrowed under the authority of the said *Loan Acts*, and it is deemed expedient to borrow under the said authority, by the issue and sale of Debentures of the Province in a maximum aggregate principal amount of One Hundred Million Dollars (\$100,000,000.00);

WHEREAS by virtue of subsection 49(3) of the *Financial Administration Act*, the Provincial Treasurer has the same powers, rights and authority as the Lieutenant Governor in Council has under the authority given to the Lieutenant Governor in Council to raise sums of money; and

WHEREAS by virtue of subsection 49(4) of the *Financial Administration Act*, the Provincial Treasurer, on such terms and conditions the Provincial Treasurer considers advisable, may raise sums of money by way of loan, in whole or in part, or through the issue or sale of securities, in whole or in part, that have a term of maturity of more than one year;

THE EXECUTIVE COUNCIL THEREFORE ADVISES THAT under the authority of and pursuant to the provisions of the said *Loan Acts* and the *Financial Administration Act*, the Province may borrow by issue and sale of Debentures of the Province in the maximum aggregate principal amount of One Hundred Million Dollars (\$100,000,000.00) when the Provincial Treasurer considers market conditions are favourable.

THE EXECUTIVE COUNCIL FURTHER ADVISES THAT the Provincial Treasurer shall as soon as practicable, but in no case later than thirty days after the money is received, provide the Lieutenant Governor in Council with a statement of the sums of money raised, the rate of interest or the yield to the investor and such terms as the Provincial Treasurer considers advisable.

THE EXECUTIVE COUNCIL FURTHER ADVISES THAT the maximum aggregate principal amount of One Hundred Million Dollars (\$100,000,000.00) of the Debentures, the issue and sale whereof is hereby provided for, is and is declared to be necessary to realize the sum required to be raised by way of loan pursuant to the *Loan Acts* and the *Financial Administration Act*.

EC2005-60

AN ACT TO AMEND THE SCHOOL ACT DECLARATION RE

Under authority of section 15 of *An Act to Amend the School Act* Stats. P.E.I. 2003, 4th Session, c. 43 Council ordered that a Proclamation do issue proclaiming the said "*An Act to Amend the School Act*" to come into force effective February 12, 2005.

EC2005-61

**SCHOOL ACT
INSTRUCTIONAL PERSONNEL REGULATIONS
AMENDMENT**

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

1. Subsection 4(3) of the *School Act* Instructional Personnel Regulations (EC481/98) is revoked.

2. Section 5 of the regulations is revoked and the following substituted:

5. A teacher suspended under section 91 of the Act shall be provided with written notice of the suspension setting out the reasons for and duration of the suspension. Written notice of suspension

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

6. A school board or its designate shall determine whether a suspension under subsection 91(1) of the Act is with or without pay. Suspension with or without pay

4. Sections 8, 9, 10, 11 and 12 of the regulations are revoked.

5. Section 13 of the regulations is amended

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

13. (1) A teacher may commence an appeal under subsection 5(1) of the Act by giving a written notice of appeal to the Minister not later than 15 working days after the date of the suspension or revocation by the Minister under subsection 3(2) of the Act. Notice of appeal

(b) by the revocation of subsection (2); and

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

(3) Within three days of the receipt of a notice of appeal under this section, the Minister shall send a copy of the notice of appeal to the Minister responsible for labour. Notice to other Minister

6. Section 14 of the regulations is amended

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

14. (1) The Minister responsible for labour shall appoint a Board of Reference to hear an appeal under subsection 5(1) of the Act. Board of Reference

(b) in subsection (2), by the deletion of the words “an appointee” wherever they occur and the substitution of the words “a nominee”;

(c) in subsection (3),

(i) by the deletion of the word “Parties” and the substitution of the word “parties”, and

(ii) by the deletion of the word “appointees” and the substitution of the word “nominees”;

(d) in subsection (4),

(i) by the deletion of the word “an appointee” and the substitution of the word “a nominee”, and

(ii) by the deletion of the words “of Community and Cultural Affairs” and the substitution of the words “responsible for labour”;

(e) in subsection (5),

(i) by the deletion of the words “of Community and Cultural Affairs” and the substitution of the words “responsible for labour”, and

(ii) by the deletion of the word “appointee’s” and the substitution of the word “nominees”;

(f) in subsection (6), by the deletion of the word “appointees” and the substitution of the word “nominees”; and

(g) in subsection (7),

(i) by the deletion of the word “appointees” and the substitution of the word “nominees”,

(ii) by the deletion of the word “appointee” and the substitution of the word “nominee”, and

(iii) by the deletion of the words “of Community and Cultural Affairs” and the substitution of the words “responsible for labour”.

7. The regulations are amended by the revocation of sections 20 and 21.

8. Clause 23(a) of the regulations is amended by the deletion of the word “appointee” and the substitution of the word “nominee”.

9. The regulations are amended by the deletion of the words “of Community and Cultural Affairs” wherever they occur and the substitution of the words “responsible for labour” in the following provisions:

(a) section 24;

(b) subsection 26(1);

(c) section 27;

(d) section 28;

(e) section 34;

(f) subsection 35(2);

(g) section 36;

(h) section 37;

(i) subsections 38(2), (3), (4) and (6).

10. Section 37 of the regulations is amended in clause (a), by the deletion of the word “appointees” and the substitution of the word “nominees”.

11. These regulations come into force on February 12, 2005.

EXPLANATORY NOTES

SECTION 1 revokes a subsection that states when a hearing is not necessary.

SECTION 2 provides for written notice of a suspension under section 91 of the Act.

SECTION 3 provides that a suspension may be with or without pay.

SECTION 4 revokes provisions respecting disciplinary proceedings.

SECTION 5 deals with a notice of appeal and changes the reference to the Minister of Community and Cultural Affairs to the Minister responsible for labour.

SECTION 6 deals with the appointment of a Board of Reference, changes the reference to the Minister of Community and Cultural Affairs to the Minister responsible for labour and changes the reference to appointees to nominees.

SECTION 7 revokes sections dealing with suspensions and dismissals.

SECTION 8 changes the reference to appointees to nominees.

SECTION 9 changes references to the Minister of Community and Cultural Affairs to the Minister responsible for labour.

SECTION 10 the reference to appointees to nominees.

SECTION 11 provides for the commencement of these regulations.

EC2005-62

SCHOOL ACT PRIVATE SCHOOLS AND HOME EDUCATION REGULATIONS AMENDMENT

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

1. Section 19 of the *School Act* Private Schools and Home Education Regulations (EC534/95) is revoked and the following substituted:

19. (1) The copy of a proposed home education program that is provided by a parent to the Minister under subsection 139(1) of the Act shall contain the following information: Information on program

- (a) a description of the program's objectives, content and learning resources;
- (b) the name and date of birth of the child;
- (c) the name, address and telephone number of the parent;
- (d) the last school attended by the child;
- (e) the name and address of a teacher advisor who
 - (i) is eligible for an instructional license under the Act, and
 - (ii) is available to the parent to provide advice or guidance to the parent on the child's home education program.

(2) A parent who provides a copy of a proposed home education program under subsection (1) shall provide to the Minister such further information as the Minister may request concerning the proposed home education program. Further information

2. Section 20 of the regulations is revoked.

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

21. (1) A student enrolled in a home education program may attend one or more courses at a school, if, not later than April 15 of the previous school year, the parent gives written notice to the principal of the school of the intention to enrol the student in the course. School course

(2) A student enrolled in courses under subsection (1) may participate in extracurricular school activities only if the student is enrolled in the school for at least half of the instructional time in the semester. Extracurricular school activities

4. These regulations come into force on February 12, 2005.

EXPLANATORY NOTES

SECTION 1 revokes the requirement that the Minister authorize a home education program and the list of conditions that must be met for such an authorization. It replaces those things with a notice of intention to

provide a home education program and lists the information that must be provided with the notice.

SECTION 2 revokes the provision respecting the duration of an authorization.

SECTION 3 adds a requirement for notice to be given to the principal of a school not later than April 15 in order for a student in a home education program to be enrolled in courses at a school, and allows the student to participate in extracurricular school activities if his or her enrollment is for half of the instructional time in a semester.

SECTION 4 provides for the commencement of these regulations.

EC2005-63

SECURITIES ACT
REGISTRAR
APPOINTMENT
MARK L. GALLANT
(APPROVED)

Pursuant to clause 1(u) of the *Securities Act* R.S.P.E.I. 1988, Cap. S-3, Council appointed Mark L. Gallant to serve as Registrar under this Act, effective 1 February 2005.

Order-in-Council EC592/94 of 15 September 1994 is hereby rescinded.

EC2005-64

WORKERS COMPENSATION ACT
WORKERS COMPENSATION BOARD
APPOINTMENTS

Pursuant to section 19 of the *Workers Compensation Act* R.S.P.E.I. 1988, Cap. W-7 Council made the following appointments:

NAME	TERM OF APPOINTMENT
as chairperson	
George MacDonald Charlottetown (vice James M. Lee, term expired)	31 December 2004 to 31 December 2007
as worker representatives	
Charlene McInnis Charlottetown (reappointed)	31 December 2004 to 31 December 2006
Margaret Stewart Charlottetown (vice Joyce McCardle, term expired)	31 December 2004 to 31 December 2007

Further, pursuant to subsection 20(1) of the Act, Council appointed Donna Butler to be vice-chairperson of the Board effective 31 December 2004 for the

EXECUTIVE COUNCIL _____ 1 FEBRUARY 2005

balance of her term as a member expiring 31 December 2006 (vice Joyce McCardle).

EC2005-65

**MENTAL HEALTH ACT
MENTAL HEALTH REVIEW BOARD
APPOINTMENTS**

Pursuant to section 27 of the *Mental Health Act* R.S.P.E.I. 1988, Cap. M-6.1 Council made the following appointments:

NAME	TERM OF APPOINTMENT
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via clause 27(3)(a), as chairperson

Krista MacKay Summerside (vice Douglas Drysdale, resigned)	1 February 2005 to 6 January 2007
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via subsection 27(4), as alternate chairperson

Kimberley Petrie Charlottetown (vice Krista MacKay, resigned)	1 February 2005 to 1 February 2008
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EXECUTIVE COUNCIL _____ 1 FEBRUARY 2005

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 15 of Chapter 43 of the Acts passed by the
Legislature of Prince Edward Island in the 4th Session thereof held in the year
2003 and in the fifty-second year of Our Reign intituled "An Act to Amend the
School 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 the said Act, Stats. P.E.I. 2003,
4th Session, c. 43 should come into force on the 12th day of February, 2005,

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 the said Act being "An Act to Amend the School
Act" passed in the fifty-second year of Our Reign shall come into force on the
twelfth day of February, two thousand and five 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 first day of February in
the year of Our Lord two thousand and five and in the fifty-third year of Our
Reign.

By Command,

Clerk of the Executive Council