

**EC2005-652**

FINANCIAL ADMINISTRATION ACT  
SPECIAL WARRANT  
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2003/04)  
DEPARTMENT OF COMMUNITY AND CULTURAL AFFAIRS

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 Community and Cultural Affairs as follows:

<b>Account Class</b>	<b>Account Name</b>	<b>Amount</b>
	<b>PLANNING AND INSPECTION SERVICES Emergency Measures Organization</b>	
0240-04214	Grants – Disaster Relief	<u>\$566,300.00</u>

**EC2005-653**

FINANCIAL ADMINISTRATION ACT  
SPECIAL WARRANT  
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2003/04)  
DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS

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 Transportation and Public Works as follows:

<b>Account Class</b>	<b>Account Name</b>	<b>Amount</b>
	<b>HIGHWAY MAINTENANCE OPERATIONS Mechanical Operations Summerside Garage Direct</b>	
0288-02930	Parts - Government Garage	<u>\$236,000.00</u>

EXECUTIVE COUNCIL \_\_\_\_\_ 15 NOVEMBER 2005

**EC2005-654**

FINANCIAL ADMINISTRATION ACT  
SPECIAL WARRANT  
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2004/05)  
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>CORPORATE AND FINANCIAL SERVICES</b> <b>Farm Income and Risk Management</b>	
0023-04135	Canadian Agricultural Income Stabilization	\$2,697,900.00
	<b>FISHERIES AND AQUACULTURE</b> <b>Division Management</b>	
0430-03003	Professional and Contract Services – Legal	<u>127,900.00</u>
		<u>\$2,825,800.00</u>

**EC2005-655**

FINANCIAL ADMINISTRATION ACT  
SPECIAL WARRANT  
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2004/05)  
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>\$2,690,000.00</u>

EXECUTIVE COUNCIL \_\_\_\_\_ 15 NOVEMBER 2005

**EC2005-656**

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>FISHERIES AND AQUACULTURE</b>	
	<b>Marine Fisheries</b>	
0433-03001	Professional and Contract Services - Consultant	<u>\$51,300.00</u>

**EC2005-657**

FINANCIAL ADMINISTRATION ACT  
SPECIAL WARRANT  
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2005/06)  
DEPARTMENT OF ENVIRONMENT, ENERGY AND FORESTRY

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 Environment, Energy and Forestry as follows:

<b>Account Class</b>	<b>Account Name</b>	<b>Amount</b>
	<b>ENERGY AND MINERALS</b>	
0166-02602	Telephone and Telegraph	\$ 2,000.00
0166-02901	Materials and Supplies	429,000.00
0166-02906	Advertising	25,000.00
0166-03010	Professional Services	542,000.00
0166-03201	In-Province Travel	<u>2,000.00</u>
		<u>\$1,000,000.00</u>

**EC2005-658**

FINANCIAL ADMINISTRATION ACT  
COMMUNITIES 13 INC.  
GUARANTEE OF LOAN

Having under consideration the recommendation of Treasury Board (reference Minute TB#325/05 of 9 November 2005), pursuant to subsection 32(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council agreed to guarantee payment of a demand loan by Communities 13 Inc. (hereinafter referred to as "the borrower") in an amount not exceeding three hundred and thirteen thousand two hundred and twenty-five dollars (\$313,225.00) (hereinafter referred to as the "guaranteed indebtedness") together with interest thereon at the monthly prime rate to the Metro Credit Union Ltd. of Charlottetown, Prince Edward Island (hereinafter referred to as "the lender"), from the 15th day of November 2005

through to and including 1700 hours on the 30th day of November 2006, the said guarantee to be subject to and conditional upon the following terms and conditions:

1. The guaranteed indebtedness, including interest, shall be due and payable in full by the borrower no later than the 30th day of November 2006.
2. Any advances made by the lender after the 30th day of November 2006 shall not form part of the guaranteed indebtedness.
3. The guarantee shall absolutely expire and be null and void without notice to the lender at 1700 hours on the 30th day of November 2006 regardless of any advances that may have been made by the lender to the borrower unless on or before the 30th day of November 2006, notice has been given to the Government of Prince Edward Island, as represented by the Provincial Treasurer that the borrower has defaulted in repayment of the guaranteed indebtedness to the lender, and calling upon the Provincial Treasurer to pay the lender pursuant to the guarantee. The written notice shall include a copy of the written demand given by the lender to the borrower calling upon the borrower to pay the balance in full.
4. Government shall be entitled at any time to terminate the guarantee by paying to the lender such amount of the guaranteed indebtedness as may be owing by the borrower to the lender and the lender shall assign to the government all security the lender holds in connection with the guaranteed indebtedness.
5. The Provincial Treasurer may add such further terms and conditions to the guarantee as he considers appropriate.
6. The guarantee shall not become effective until the lender has agreed in writing to the terms and conditions herein contained and those imposed by the Provincial Treasurer pursuant to paragraph 5 above. The guaranteed indebtedness shall not include any advances made by the lender prior to the agreement by the lender with the terms and conditions herein contained and those imposed by the Provincial Treasurer.

**EC2005-659**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PROPERTY NO. 590992, LOTS 6 AND 9, 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 sixty-three (63) acres of land, being Provincial Property No. 590992 located in Lots 6 and 9, Prince County, Prince Edward Island and currently owned by 100395 P.E.I. Inc. of Carleton, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately twelve decimal three (12.3) 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 15 November 2005.

**EC2005-660**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PROPERTY NO. 095224, LOT 14, 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-eight (78) acres of land, being Provincial Property No. 095224 located in Lot 14, Prince County, Prince Edward Island and currently owned by Arlington Farms Ltd. of Arlington, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately zero decimal one one (0.11) acres SUBJECT TO the subdivided parcel being consolidated with the adjacent Provincial Property No. 446583. 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 15 November 2005.

**EC2005-661**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PROPERTY NO. 263699, LOT 15, 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 ninety-two (92) acres of land, being Provincial Property No. 263699 located in Lot 15, Prince County, Prince Edward Island and currently owned by Kathleen Penner of Arnes, Manitoba; Kristin Joan Clark of Scarborough, Ontario; and Bruce William Taylor of Brantford, Ontario.

Council noted that this amendment will enable subdivision of the parcel of land into a total of four lots, and determined that following subdivision, identification for non-development use shall continue to apply to all four parcels.

This Order-in-Council comes into force on 15 November 2005.

**EC2005-662**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PROPERTY NO. 043778, LOT 6, 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 seventeen (17) acres of land, being Provincial Property No. 043778 located in Lot 6, Prince County, Prince Edward Island and currently owned by Sweet Farms Inc. of O'Leary, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately zero decimal nine (0.9) 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 15 November 2005.

**EC2005-663**

**LIQUOR CONTROL ACT  
REGULATIONS  
AMENDMENT**

Made by the Prince Edward Island Liquor Control Commission and approved by the Lieutenant Governor in Council under the *Liquor Control Act* R.S.P.E.I. 1988, Cap. L-14:

**1. Subsection 14(2) of the *Liquor Control Act* Regulations (EC704/75) is repealed and the following substituted:**

- (2) Where a dining room is operated by a licensee who also holds a lounge license on the same premises, the licensee shall ensure that, Dates and hours of dining room operation
- (a) from October 1 to May 31 each year, the hours of operation the dining room are not less than 18 hours per week and the dining room is open for not less than three days per week; and
- (b) from June 1 to September 30 each year, the hours of operation of the dining room are not less than 30 hours per week and the dining room is open for not less than five days per week.

**2. These regulations come into force on November 26, 2005.**

**EXPLANATORY NOTES**

This amendment reduces, during the winter, the required hours and days of operation of a dining room that is operated by a licensee who also holds a lounge license.

**EC2005-664**

**SUMMARY PROCEEDINGS ACT  
REGULATIONS  
AMENDMENT**

Pursuant to subsection 10(3) of the *Summary Proceedings Act* R.S.P.E.I. 1998, 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 Petroleum Storage Tanks Regulations":**

**ENVIRONMENTAL PROTECTION ACT  
Drinking Water and Wastewater Facility Operating Regulations  
(EC710/04)**

1. Operating a facility without a facility classification certificate .....	2(1)	\$200 (individual) 1000 (corporation)
2. Failing to give notice of modification to facility .....	2(4)	200 (individual) 1000 (corporation)
3. Failing to place responsibility for facility with operator holding operator's certificate of required classification .....	4(1)	200 (individual) 1000 (corporation)
4. Acting as operator of facility without operator's certificate of required classification .....	4(2)	200 (individual) 1000 (corporation)
5. Operating public drinking water supply facility that is not registered .....	7(1)	200 (individual) 1000 (corporation)
6. Failing to ensure samples collected and analyzed from semi-public drinking water supply system .....	9	200 (individual) 1000 (corporation)
7. Failing to ensure samples collected and analyzed from small public drinking water supply facility .....	10	200 (individual) 1000 (corporation)

8. Failing to ensure sampling conducted for chlorinated public drinking water .....	11(1)	200 (individual) 1000 (corporation)
9. Failing to ensure sampling conducted for non-chlorinated public drinking water .....	11(2)	200 (individual) 1000 (corporation)
10. Failing to ensure sampling conducted for small public, or semi-public, drinking water supply system operated seasonally .....	12(1)	200 (individual) 1000 (corporation)
11. Failing to give notice to Department of results of analysis .....	12(2)	200 (individual) 1000 (corporation)
12. Failing to ensure water quality samples are analyzed by an accredited laboratory .....	13(1)	200 (individual) 1000 (corporation)
13. Failing to report results of analysis from laboratories other than PEI Analytical Laboratories .....	13(2)	200 (individual) 1000 (corporation)
14. Failing to give notice to Department of results of analysis .....	13(3)	200 (individual) 1000 (corporation)
15. Failing to report to customers results of analysis .....	14(1)	200 (individual) 1000 (corporation)
16. Failing to retain records of water quality analysis .....	14(2)	200 (individual) 1000 (corporation)
17. Operating a wastewater treatment facility that is not registered .....	16(1)	200 (individual) 1000 (corporation)
18. Failing to ensure samples of treated wastewater are collected and analyzed from Class I wastewater treatment facility .....	17(1)	200 (individual) 1000 (corporation)
19. Failing to ensure samples of treated wastewater from Class II, Class III or Class IV wastewater treatment facilities are collected and analyzed .....	17(2)	200 (individual) 1000 (corporation)
20. Failing to ensure wastewater quality samples are analyzed by an accredited laboratory .....	18(1)	200 (individual) 1000 (corporation)
21. Failing to submit results of analysis from laboratory other than PEI Analytical Laboratories .....	18(2)	200 (individual) 1000 (corporation)
22. Failing to report results of wastewater analysis to customers .....	19(1)	200 (individual) 1000 (corporation)
23. Failing to maintain record of wastewater analysis for 5 years .....	19(2)	200 (individual) 1000 (corporation)
24. Failing to submit well field protection plan .....	20(1)	1000 (corporation)
25. Failing to implement well field protection plan .....	20(6)	1000 (corporation)
26. Failing to submit report of implementation of well field protection plan .....	20(8)	1000 (corporation)

## 2. These regulations come into force on November 26, 2005.

### EXPLANATORY NOTES

The amendment updates the Ticket Regulations to set out provisions respecting summary offences under the Drinking Water and Wastewater Facility Operating Regulations.

### EC2005-665

#### SUMMARY PROCEEDINGS ACT TICKET REGULATIONS AMENDMENT

Pursuant to section 10 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 after the table entitled "WILDLIFE CONSERVATION ACT R.S.P.E.I. 1988, W-4.1".**

#### WILDLIFE CONSERVATION ACT Hunting Guide Regulations (EC512/05)

1 Registered guide failing to be in possession of registered hunting guide license while acting as a guide.....	4(4)	\$200 (individual) 2000 (corporation)
2 Licensed resident hunter hunting with or acting as a guide for more than two non-resident hunters at the same time.....	7(1)	200 (individual)
3 Registered guide acting as a guide for more than four non-resident hunters at the same time.....	7(2)	200 (individual)
4 Registered guide hunting while acting as a guide.....	7(3)	200 (individual)
5 Registered outfitter failing to ensure that a registered guide employed by the registered outfitter does not act as a guide for more than four non-resident hunters at the same time.....	7(5)	200 (individual) 2000 (corporation)

6	Registered guide failing to collect and submit to the Minister information returns and biological parts of wildlife from non-resident hunter.....	8(1)	200	(individual)
7	Non-resident hunter hunting, taking or killing wildlife or attempting to hunt, take or kill wildlife without being in the company of a licensed resident hunter or registered guide.....	8(2)	200	(individual)
8	Person contravening terms or conditions in person's registered hunting guide license or registered hunting outfitter license.....	9(1)	200	(individual)
9	Person acting as a guide for profit without holding a valid hunting license.....	10(1)(a)	2000	(corporation)
10	Person acting as a guide for profit without holding a valid registered hunting guide license.....	10(1)(b)	200	(individual)
11	Person holding himself or herself out as a guide without holding a valid hunting license.....	10(2)(a)	2000	(corporation)
12	Person holding himself or herself out as a guide without holding a valid registered hunting guide license.....	10(2)(b)	200	(individual)
13	Person acting as an outfitter for profit without holding a valid hunting license.....	11(1)(a)	2000	(corporation)
14	Person acting as an outfitter for profit without holding a valid registered hunting outfitter license.....	11(1)(b)	200	(individual)
15	Person holding himself or herself out as an outfitter without holding a valid hunting license.....	11(2)(a)	2000	(corporation)
16	Person holding himself or herself out as an outfitter without holding a valid registered hunting outfitter license.....	11(2)(b)	200	(individual)
17	Non-resident person hunting without holding a valid non-resident hunting license.....	12(a)	200	(individual)
18	Non-resident person hunting without being accompanied by a licensed resident hunter or a registered guide.....	12(b)	200	(individual)

**2. These regulations come into force on November 26, 2005.**

**EXPLANATORY NOTES**

The amendment adds offence provisions in the *Summary Proceedings Act Ticket Regulations for the Wildlife Conservation Act Hunting Guide Regulations*.