

EC2006-717

FINANCIAL ADMINISTRATION ACT
CERTAIN ACCOUNTS RECEIVABLE
UNDER THE
ENVIRONMENT TAX ACT
AUTHORITY TO WRITE-OFF

Pursuant to subsection 26.1(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council authorized the write-off of certain accounts receivable under the *Environment Tax Act* totalling \$2,429.68 including interest to 30 November 2006 as follows:

SCHEDULE
(ENVIRONMENT TAX ACT, WRITE-OFFS)

ACCOUNT OF	AMOUNT WRITTEN-OFF
McLaine Motors Ltd. Charlottetown	\$1,892.51
Rob's Auto Sales Inc. Charlottetown	<u>537.17</u>
	<u>\$2,429.68</u>

Council noted that a write-off under subsection 26.1(1) does not affect the existing rights and obligations between the debtor and Her Majesty.

EC2006-718

FINANCIAL ADMINISTRATION ACT
CERTAIN ACCOUNTS RECEIVABLE
UNDER THE
REVENUE TAX ACT
AUTHORITY TO WRITE-OFF

Pursuant to subsection 26.1(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council authorized the write-off of certain accounts receivable under the *Revenue Tax Act* totalling \$304,486.36 including interest to 30 November 2006 as follows:

SCHEDULE
(REVENUE TAX ACT, WRITE-OFFS)

ACCOUNT OF	AMOUNT WRITTEN-OFF
100363 P.E.I. Inc. sometimes carrying on business under the style name Great Canadian Dollar Store, Cornwall	\$ 85,598.11

100442 P.E.I. Inc. sometimes carrying on business under the style name Cora's Breakfast & Lunch, Charlottetown	76,406.94
100516 P.E.I. Inc. sometimes carrying on business under the style name The Regent Restaurant & Lounge, Summerside	4,797.79
Cameron, Margaret Montague	148.37
Chaisson, Greg St. Louis	3,278.59
Clements, Shane Souris	70.50
Clinton, Pamela Charlottetown	287.09
G.E. Hannan sometimes carrying on business under the style name A Place to Stay Inn, Souris	17,185.24
Gallant, Tommy Summerside	1,057.43
Gaudet, Joe St. Louis	212.71
Gillespie Agencies Ltd. sometimes carrying on business under the style name Magic Creations, Cornwall	2,665.97
Hill-Worth, Tammy sometimes carrying on business under the style name Scentsations for the Body & Soul Miscouche	12,725.86
Horner, Jeremy Breadalbane	542.81
K.A.D.T. Inc. Charlottetown	7,208.98
MacKenzie, Steven Summerside	227.63
McKenna's Furniture Warehouse & Showroom Ltd. Summerside	11,574.22
McLaine Motors Ltd. Charlottetown	43,495.01
Osborne, Joseph Vernon Bridge	183.07
Rob's Auto Sales Inc. Charlottetown	12,147.87
Stevenson & MacEachern Ltd. sometimes carrying on business under the style name Island Honda, Charlottetown	7,796.60

Stevenson and MacEachern Ltd. Charlottetown	16,642.72
Tierney, Tony Charlottetown	<u>232.85</u>
Total	<u>\$304,486.36</u>

Council noted that a write-off under subsection 26.1(1) does not affect the existing rights and obligations between the debtor and Her Majesty.

EC2006-719

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
RICHARD EARL BELL, JUDITH ANNE GLORIA BELL, AND
PATRICIA ELIZABETH (BELL) DURANT
(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 Earl Bell of Millbank, Ontario; Judith Anne Gloria Bell of Toronto, Ontario; and Patricia Elizabeth (Bell) Durant of Porter's Lake, Nova Scotia to acquire an interest in a land holding of approximately ninety-five (95) acres of land in Lot 32, Queens County, Province of Prince Edward Island, being acquired from Margaret Sarah Stollmeyer of Toronto, Ontario.

EC2006-720

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
BRUCE BOOTH
(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 Bruce Booth of Armstrong, British Columbia to acquire a land holding of approximately forty-seven decimal seven (47.7) acres of land in Lot 1, Prince County, Province of Prince Edward Island, being acquired from Joseph B. McHugh of Tignish, 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.

EC2006-721

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MARC DAVIDSON AND KIMBERLEY DAVIDSON
(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 Marc Davidson and Kimberley Davidson, both of Andover, Massachusetts to acquire a land holding

of approximately twenty-seven (27) acres of land in Lot 4, Prince County, Province of Prince Edward Island, being acquired from Lesa Handrahan of Tignish, Prince Edward Island.

EC2006-722

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HYUNG NAM HWANG
(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 Hyung Nam Hwang of Cornwall, Prince Edward Island to acquire a land holding of approximately fourteen decimal six three (14.63) acres of land in Lot 23, Queens County, Province of Prince Edward Island, being acquired from Bennett Tremere and Jean Tremere, 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.

EC2006-723

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GERALD W. MCCORMACK AND LAURA MCCORMACK
(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 Gerald W. McCormack and Laura M. McCormack, both of Calgary, Alberta to acquire a land holding of approximately twenty-eight (28) acres of land in Lot 54, Kings County, Province of Prince Edward Island, being acquired from Adam Atwell of Montague, 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.

EC2006-724

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
NICHOLAS PAPPAS
(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 Nicholas Pappas of Lasalle, Quebec to acquire a land holding of approximately eleven decimal four (11.4) acres of land in Lot 2, Prince County, Province of Prince Edward Island, being acquired from Gerald Buote and Shirley Buote, both of Tignish, 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.

EC2006-725

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
100597 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 100597 P.E.I. Inc. of Stanley Bridge, Prince Edward Island to acquire a land holding of approximately three decimal five (3.5) acres of land in Lot 22, Queens County, Province of Prince Edward Island, being acquired from Shar Inns Inc. of New Port Richey, Florida.

EC2006-726

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
CULLODEN FARMS 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 Culloden Farms Inc. of Melville, Prince Edward Island to acquire a land holding of approximately two hundred and twenty (220) acres of land in Lot 60, Queens County, Province of Prince Edward Island, being acquired from Graham MacLean and Sharon MacLean, both of Belle 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.

EC2006-727

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
D & E 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 D & E Pork Inc. of Albany, Prince Edward Island to acquire a land holding of approximately two decimal two eight (2.28) acres of land in Lot 27, Prince County, Province of Prince Edward Island, being acquired from J. Eric Murray (Estate) of North Carleton, Prince Edward Island.

EC2006-728

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 FERME GALLANT LTÉE
 (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 Ferme Gallant Ltée of Wellington, Prince Edward Island to acquire a land holding of approximately eight (8) acres of land in Lot 15, Prince County, Province of Prince Edward Island, being acquired from Rodney Gallant and Sandra Gallant, both of Wellington, 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.

EC2006-729

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 FERME GALLANT LTÉE
 (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 Ferme Gallant Ltée of Wellington, Prince Edward Island to acquire a land holding of approximately twenty (20) acres of land in Lot 15, Prince County, Province of Prince Edward Island, being acquired from James Gallant 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.

EC2006-730

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 GAUDETTE'S TRANSIT MIX 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 Gaudette's Transit Mix Ltd. of Tignish, Prince Edward Island to acquire a land holding of approximately fifty-two decimal six three (52.63) acres of land in Lots 1, and 2, Prince County, Province of Prince Edward Island, being acquired from Vernon Gaudette of Tignish, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Gaudette's Transit Mix Ltd. and on all successors in title.

EC2006-731

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GAUDETTE'S TRANSIT MIX 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 Gaudette's Transit Mix Ltd. of Tignish, Prince Edward Island to acquire a land holding of approximately fifty (50) acres of land in Lot 2, Prince County, Province of Prince Edward Island, being acquired from Norman Gaudette and Raymond Gaudette, both of Tignish, 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.

EC2006-732

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
H & P GLOVER 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 H & P Glover Inc. of Bedeque, Prince Edward Island to acquire a land holding of approximately five decimal eight two (5.82) acres of land in Lot 26, Prince County, Province of Prince Edward Island, being acquired from Sunset Beach Realty Inc. of Summerside, Prince Edward Island.

EC2006-733

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HARBOUR REFLECTIONS 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 Harbour Reflections Inc. of Rusticoville, Prince Edward Island to acquire a land holding of approximately twelve decimal five (12.5) acres of land in Lot 24, Queens County, Province of Prince Edward Island, being acquired from Hugh John MacNeill and Violet A. MacNeill, both of Rusticoville, Prince Edward Island.

EC2006-734

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ISLAND TRUSTEES 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 Island Trustees Limited (amalgamated company effective January 1, 2007 – amalgamation of Island Trustees Limited and LCJ Holdings Ltd.) of Montague, Prince Edward Island to acquire a land holding of approximately eighteen decimal three (18.3) acres of land in Lot 17, Prince County, Province of Prince Edward Island, being acquired from Island Trustees Limited of Montague, Prince Edward Island.

EC2006-735

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
KILLAM INVESTMENTS (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 Killam Investments (P.E.I.) Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately one decimal zero seven (1.07) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Spring Park Apartments Inc. of Charlottetown, Prince Edward Island.

EC2006-736

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
LEIGH LAIRD 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 Leigh Laird Inc. of North Winsloe, Prince Edward Island to acquire a land holding of approximately eighty (80) acres of land in Lot 33, Queens County, Province of Prince Edward Island, being acquired from Robert Roberts and Arlene Roberts, both of North Winsloe, 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.

EC2006-737

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SKYE VIEW 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 Skye View Farms Ltd. of Cornwall, Prince Edward Island to acquire a land holding of approximately forty-five (45) acres of land in Lot 31 Queens County, Province of Prince Edward Island, being acquired from Charles Patrick Cavanaugh of New Haven, Prince Edward Island.

EC2006-738

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

Council, having under consideration Order-in-Council EC2001-336 of 12 June 2001, rescinded the said Order forthwith, thus rescinding permission for MacLennan Produce Ltd. to acquire, by lease, a land holding or land holdings of up to one hundred and fifty (150 acres) as part of its aggregate land holdings.

EC2006-739

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 155986, LOT 56, 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 pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately eighty-seven (87) acres of land, being Provincial Property No. 155986 located in Lot 56, Kings County, Prince Edward Island and currently owned by 6272479 Canada Inc. of Charlottetown, Prince Edward Island.

Council noted that this amendment will enable subdivision of a three (3) acre parcel of land 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 19 December 2006.

EC2006-740

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 407973, LOT 63, 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 pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately twelve (12) acres of land, being Provincial Property No. 407973 located in Lot 63, Kings County, Prince Edward Island and currently owned by John Roe Griffith of Wilton, New Hampshire.

Council noted that this amendment will enable subdivision of a four decimal seven (4.7) acre parcel of land and determined that following subdivision, identification for non-development use shall continue to apply to the new parcel as well as to the remaining land.

This Order-in-Council comes into force on 19 December 2006.

EC2006-741

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 720250, LOT 49, QUEENS COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately thirty-four decimal six nine (34.69) acres of land, being Provincial Property No. 720250 located in Lot 49, Queens County, Prince Edward Island and currently owned by R. Harold (Hal) Smith and Jeremy Smith, both of Stratford, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately nine decimal seven (9.7) acres and is subject to the subdivided parcel being consolidated with the adjacent Provincial Property No. 426296. Further, Council determined that following subdivision, identification for non-development use shall continue to apply to the new parcel as well as to the remaining land.

This Order-in-Council comes into force on 19 December 2006.

EC2006-742

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PROPERTY NO. 17897, LOT 3, PRINCE 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 pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately six decimal two five (6.25) acres of land, being Provincial Property No. 17897 located in Lot 3, Prince County, Prince Edward Island and currently owned by Alan Warren of Alberton, Prince Edward Island.

This Order-in-Council comes into force on 19 December 2006.

EC2006-743

LEGAL PROFESSION ACT
 QUEEN'S COUNSEL
 APPOINTMENT
 OF
 PATRICIA L. CHEVERIE

Council, pursuant to subsection 34(1) of the *Legal Profession Act* R.S.P.E.I. 1988, Cap. L-6.1 ordered that Letters Patent under the Great Seal of the Province be issued to appoint Patricia L. Cheverie, as Her Majesty's Counsel learned in the law of Prince Edward Island, effective 19 December 2006.

EC2006-744

LEGAL PROFESSION ACT
 QUEEN'S COUNSEL
 APPOINTMENT
 OF
 JAMES W. GORMLEY

Council, pursuant to subsection 34(1) of the *Legal Profession Act* R.S.P.E.I. 1988, Cap. L-6.1 ordered that Letters Patent under the Great Seal of the Province be issued to appoint James W. Gormley, as Her Majesty's Counsel learned in the law of Prince Edward Island, effective 19 December 2006.

EC2006-745

LEGAL PROFESSION ACT
 QUEEN'S COUNSEL
 APPOINTMENT
 OF
 MARY-LYNN KANE

Council, pursuant to subsection 34(1) of the *Legal Profession Act* R.S.P.E.I. 1988, Cap. L-6.1 ordered that Letters Patent under the Great Seal of the Province be issued to appoint Mary-Lynn Kane, as Her Majesty's Counsel learned in the law of Prince Edward Island, effective 19 December 2006.

EC2006-746

LEGAL PROFESSION ACT
 QUEEN'S COUNSEL
 APPOINTMENT
 OF
 JOHN A. MCMILLAN

Council, pursuant to subsection 34(1) of the *Legal Profession Act* R.S.P.E.I. 1988, Cap. L-6.1 ordered that Letters Patent under the Great Seal of the Province be issued to appoint John A. McMillan, as Her Majesty's Counsel learned in the law of Prince Edward Island, effective 19 December 2006.

EC2006-747

LONG-TERM CARE SUBSIDIZATION ACT
 REGULATIONS
 AMENDMENT

Pursuant to section 12 of the *Long-Term Care Subsidization Act* R.S.P.E.I. 1988, Cap. L-16.1, Council made the following regulations:

1. Subsection 1(1) of the *Long-Term Subsidization Act* Regulations (EC615/05) is amended

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

(d.1) "assessed income" means, in respect of an applicant, the assessed income of the applicant for the previous taxation year, as determined by the Director in accordance with these regulations; assessed income

(b) in clause (h), by the deletion of the words " , but excludes the value of the principal residence of an applicant if the applicant held ownership of the principal residence at the time of the applicant's death";

(c) by the revocation of clauses (i) and (j); and

(d) by the revocation of clause (m).

2. Section 3 of the regulations, and the Heading "Review" immediately preceding section 3, are revoked.

3. Section 4 of the regulations is amended

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

4. (1) A person who wishes to obtain financial assistance shall submit an application for such assistance to the Director. Application for financial assistance

(1.1) An application for financial assistance shall be made on a form approved by the Minister and shall Form, completion, joint applications

(a) be completed by the applicant and the applicant's spouse, except where the Director

(i) is satisfied that the applicant's spouse does not reside with the applicant, or

(ii) determines that the signature of the applicant's spouse cannot be obtained; and

(b) be treated by the Director as a joint application by both spouses if the applicant resides with his or her spouse.

(b) in clause (2)(b), by the deletion of the words "under subsection 11(4) of the Act" and the substitution of the words "under subsection 11(3) of the Act";

(c) in subsection (3), by the addition of the words “by the Director” after the words “as may be required”; and

(d) by the addition of the following after subsection (3):

(3.1) An applicant shall submit with his or her application for financial assistance Required tax documents

(a) a copy of his or her Income Tax and Benefit Return, as submitted to the Canada Revenue Agency, for the previous taxation year; and

(b) a copy of a notice of assessment from the Canada Revenue Agency that confirms the validity of the amount of net income, as reported to the Canada Revenue Agency, on line 236 of the applicant’s Income Tax and Benefit Return for the previous taxation year.

(e) by the addition of the following after subsection (5):

(6) A person shall not be deemed to be ineligible to receive financial assistance pursuant to subsection (5) by reason only that the person has not submitted the documents referred to in subsection (3.1). Exception

4. Clause 5(1)(a) of the regulations is amended

(a) by the deletion of the word “shall” and the substitution of the word “may”;

(b) by the deletion of the words “financial resources” and the substitution of the word “income”; and

(c) by the addition of the words “assessed income and” before the words “eligibility for financial assistance”.

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

6. Subject to the Act and these regulations, an applicant for financial assistance is a person in need if the amount of accommodation assistance required by the applicant for a year of accommodation exceeds the applicant’s assessed income, and the Director may grant financial assistance to the applicant based on the established rates of assistance. Test for determination of need

6. Subsections 7(2) and (3) of the regulations are revoked and the following substituted:

(2) Where an applicant submits with his or her application Determination of assessed income

(a) a copy of his or her Income Tax and Benefit Return, as submitted to the Canada Revenue Agency, for the previous taxation year; and

(b) a copy of a notice of assessment from the Canada Revenue Agency that confirms the validity of the amount of net income, as reported to the Canada Revenue Agency, on line 236 of the applicant’s Income Tax and Benefit Return for the previous taxation year,

the Director shall calculate the assessed income of the applicant by using the formula

$A - B$

where

A is the amount of net income, as reported to the Canada Revenue Agency on line 236 of the applicant’s Income Tax and Benefit Return for the previous taxation year; and

B is the total amount of the types of income of the applicant for the previous taxation year that are exempted under section 8 for the purposes of determining an applicant’s assessed income.

7. Section 8 of the regulations is amended

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

8. (1) The following types of income of an applicant are exempted for the purposes of determining an applicant’s assessed income under Types of income not included in assessed income

subsection 7(2), where the applicant provides the Director with documentary evidence satisfactory to the Director establishing payment to the applicant of the following:

- (a) a one-time payment of surplus pension funds if the payment is attributable to a taxation year in which the applicant was not receiving financial assistance;
- (b) the Canada Pension Plan one-time death benefit;
- (c) retroactive income for taxation years preceding the taxation year used in the assessment if the income is attributable to taxation years in which the applicant was not receiving financial assistance; and
- (d) such other types of income that the Minister may exempt from the calculation of an applicant's assessed income.

(1.1) Where an applicant's financial affairs are managed by the Public Trustee, the Director shall deduct the Public Trustee fees from the applicant's assessed income. Deduction of fees of Public Trustee

(b) in subsection (2),

- (i) by the deletion of the words "financial resources of an applicant are deemed to be" in that portion of the subsection before clause (a) and the substitution of the words "assessed income of an applicant is deemed to be", and**
- (ii) by the deletion of the words "financial resources" wherever they occur in clauses (a) and (b) and the substitution of the words "assessed income"; and**

(c) by the revocation of subsection (4).

8. Section 9 of the regulations is amended

(a) in subsection (1), by the deletion of the words "for care and room and board in a nursing home, and the financial assistance or any part of it granted to an applicant shall constitute a debt due by the applicant to the government within the meaning of section 11 of the Act";

(b) in subsection (2), by the deletion of the words "an improvement" and the substitution of the words "a change"; and

(c) in subsection (3),

- (i) in clause (a), by the deletion of the words "shall bill the applicant for the assistance previously provided during a period" and the substitution of the words "shall bill the applicant for any assistance provided during a period when the applicant was not a person in need", and**
- (ii) in clause (b), by the deletion of the words "and shall vary the agreement with the applicant".**

9. Section 10 of the regulations is revoked and the following substituted:

10. (1) The Director may refuse to grant financial assistance to an applicant where Refusal to grant financial assistance

- (a) the applicant has transferred or reduced income, or divested himself or herself of any income-producing asset, within two years preceding the date of the applicant's application; and
- (b) in the opinion of the Director, the transfer or reduction of income, or divestment of an income-producing asset, was made for the purpose of making the applicant eligible for financial assistance.

(2) Where an applicant has transferred or reduced income, or divested himself or herself of any income-producing asset, within two years preceding the date of the applicant's application, the Director may require the applicant to submit information concerning the applicant's entire income for the two year period. Information supply

10. Section 11 of the regulations is revoked.

11. Subsection 14(1) of the regulations is revoked and the following substituted:

14. (1) Where, under subsection 9(3), the Director determines that an applicant who has received financial assistance no longer Debt owing

(a) is a person in need; or

(b) requires the same level of financial assistance,

the Director shall determine the amount of debt due by the applicant to the government under section 11 of the Act.

12. These regulations come into force on January 1, 2007.

EXPLANATORY NOTES

SECTION 1 revokes the definitions for the terms “financial resources”, “liquid assets” and “principal residence”. It also adds a definition for the term “assessed income” and drops a reference in another definition to the principal residence of an applicant.

SECTION 2 revokes an unneeded provision that permits the Lieutenant Governor in Council to review the rates of assistance the Lieutenant Governor in Council establishes under the Act.

SECTION 3 clarifies that a person who wishes to obtain financial assistance must submit an application for such assistance to the Director. The section also corrects a reference to a provision of the Act and indicates that an applicant is required to supply such information, in support of an application, as is required by the Director.

The section requires the applicant to submit certain taxation returns and notices of assessment with his or her application, but also indicates that a failure to supply such documents does not render the person ineligible for financial assistance.

SECTION 4 amends a provision that currently requires the Director to examine the financial resources of an applicant. The amendments in this section switch the focus to the income and assessed income of the applicant.

SECTION 5 replaces the provision in the regulations that sets out the rule governing the determination of when a person is a “person in need”. The new provision drops the current references to the “costs of care” and to the “value of the financial resources” of the applicant. Under the new provision the test for need is whether the amount of accommodation assistance needed by an applicant exceeds the applicant’s assessed income.

SECTION 6 replaces most of the current provision dealing with the calculation of the financial resources of the applicant. The amendments in this section set out a rule for determining the assessed income of an applicant on the basis of the taxation documents provided by the applicant.

SECTION 7 indicates which types of income of an applicant are not to be included in the determination of the applicant’s assessed income.

SECTION 8 amends the provision under which the Director grants financial assistance. The amendments delete wording in the provision that indicates that the assistance is granted for care and room and board and that the assistance constitutes a debt due to the government. The section also makes some amendments to clarify that the Director shall reassess a person’s eligibility for assistance when there is a change in his or her financial situation. The section clarifies that the Director shall bill an applicant for any assistance provided during a period when the applicant was not a person in need.

SECTION 9 indicates that the Director may refuse to grant financial assistance to an applicant where the applicant has transferred or reduced income within two years of the date of his or her application for assistance.

SECTION 10 revokes the current provision requiring an applicant to enter into an agreement concerning the repayment of assistance.

SECTION 11 requires the Director to determine the amount of debt due by an applicant to the government where the applicant receives financial assistance when the applicant is no longer a person in need or no longer requires the same level of assistance.

SECTION 12 provides for the commencement of these regulations.

EC2006-748

PUBLIC DEPARTMENTS ACT
OFFICE OF THE ATTORNEY GENERAL
ACTING DEPUTY ATTORNEY GENERAL
EDISON J. SHEA
APPOINTMENT
(TO RESCIND)

Council, having under consideration Order-in-Council EC2005-5 of 4 January 2005, rescinded the said Order, thus rescinding the appointment of Edison J. Shea as Acting Deputy Attorney General effective 19 December 2006.

EC2006-749

PUBLIC DEPARTMENTS ACT
OFFICE OF THE ATTORNEY GENERAL
DEPUTY ATTORNEY GENERAL - APPOINTMENT
EDISON J. SHEA
(APPROVED)

Pursuant to subsection 7(1) of the *Public Departments Act* R.S.P.E.I. 1988, Cap. P-29 Council appointed Edison J. Shea to serve at pleasure as Deputy Attorney General effective 19 December 2006 and with seniority as a deputy head dating from 5 January 2005.

EC2006-750

PUBLIC DEPARTMENTS ACT
ACTING MINISTER
APPOINTMENT

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

Honourable Elmer MacFadyen to be Acting Provincial Treasurer commencing on the 27th day of December 2006, and continuing for the duration of the absence from the Province of Honourable Mitchell Murphy.

EC2006-751**REAL PROPERTY ASSESSMENT ACT
REGULATIONS
AMENDMENT**

Pursuant to section 35 of the *Real Property Assessment Act* R.S.P.E.I. 1988, Cap. R-4, Council made the following regulations:

1. Clause 1(1)(b) of the *Real Property Assessment Act* Regulations (EC490/72) is revoked and the following substituted:

(b) “assessment roll” means a list or an electronic file which shall assessment roll contain

- (i) the taxation year for which the assessments are made,
- (ii) the parcel numbers assigned to the property,
- (iii) the acreage, location and civic address for the real property assessed,
- (iv) the name and mailing address in whose name the real property is assessed,
- (v) the amount of commercial, non-commercial, market, residential, farm assessment, and farm use assessment, as the case may be,
- (vi) the mobile home identifier (MHI) number,
- (vii) the tax exemption code,
- (viii) the township lot number,
- (ix) the farm qualification code,
- (x) the municipal code number,
- (xi) the percentage of the property located within the municipality,
- (xii) the date which the current assessment is effective,
- (xiii) the date of ownership of the property, and
- (xiv) the original parcel number of the property;

2. These regulations come into force on January 1, 2007.**EXPLANATORY NOTES**

SECTION 1 provides a new definition for “assessment roll” in respect of the information that may be contained on the roll.

SECTION 2 provides for the commencement of these regulations.

EC2006-752**REAL PROPERTY TAX ACT
REGULATIONS
AMENDMENT**

Pursuant to section 43 of the *Real Property Tax Act* R.S.P.E.I. 1988, Cap. R-5, Council made the following regulations:

1. Section 1 of the *Real Property Tax Act* Regulations (EC512/72) is amended by the addition of the following after clause (b):

(b.1) “list” means a list or electronic file of all properties in a list municipality and such list shall contain all of the information described in subsection 2(1) in relation to those properties and the number of the municipality;

2. Subsection 2(1) of the regulations is amended

(a) by the deletion of the words “The tax roll shall show” and the substitution of the words “The tax roll is a list or electronic file which shall show”;

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

(c) the acreage, location, and civic address of the property;

(c) by the revocation of clause (e); and

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

(i) the mobile home identifier (MHI) number;

(j) the tax exemption code;

(k) the township lot number;

(l) the farm qualification code;

(m) the municipal code number;

(n) the percentage of the property located within the municipality;

(o) the date which the current assessment is effective;

(p) the date of ownership of the property; and

(q) the original parcel number of the property.

3. Subsection 3(2) of the regulations is revoked.

4. These regulations come into force on January 1, 2007.

EXPLANATORY NOTES

SECTION 1 adds a definition of "list" to the definition section.

SECTION 2 expands the concept of what a tax roll must show to include a list or electronic file and requires the acreage, location and the civic address of the property. The section deletes the requirement to include the name of the person delegated to pay another person's tax. Finally, the section deletes the requirement to include the date a tax levy is mailed by government and adds other requirements that the tax roll must include.

SECTION 3 revokes subsection 3(2). The subsection outlined the required makeup of the list of all real property within the boundaries of a municipality.

SECTION 4 provides for the commencement of these regulations.

EC2006-753

RETAIL BUSINESS HOLIDAYS ACT EXEMPTION REGULATIONS AMENDMENT

Pursuant to section 7 of the *Retail Business Holidays Act* R.S.P.E.I. 1988, Cap. R-13.02, Council made the following regulations:

1. The *Retail Business Holidays Act Exemption Regulations (EC554/93)* is amended by the addition of the following after section 3:

4. The Charlottetown Driving Park Entertainment Centre is exempt from the application of section 2 of the Act on December 31, 2006 and January 1, 2007. Exemption

2. These regulations come into force on December 30, 2006.

EXPLANATORY NOTES

The amendment allows the Charlottetown Driving Park Entertainment Centre to carry on business on the specified dates.

EC2006-754**SCHOOL ACT
SABBATICAL LEAVE REGULATIONS**

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 3 of the School Act Sabbatical Leave Regulations (EC482/98) is amended

(a) by renumbering the section as subsection 3(1); and

(b) by the addition of the following after subsection 3(1):

(2) Following consultation with school boards, the Minister may provide to the Committee the priority areas of need within the education system that shall be taken into account by the Committee when formulating its recommendations pursuant to clause (1)(b). Priority areas of need

2. Subsection 7(1) of the regulations is amended by the deletion of the words “December 15” and the substitution of the words “January 10”.

3. Subsections 9(2) and (3) of the regulations are revoked and the following substituted:

(2) During the period of sabbatical leave, a teacher shall receive from the school board an amount equal to Salary during sabbatical leave

(a) 60% of the salary the teacher would receive if actively employed full time by the school board, where the teacher is studying during the sabbatical leave at

(i) a post-secondary institution in the province, or

(ii) a post-secondary institution outside the province, if the program of study is readily available in the province; and

(b) 70% of the salary the teacher would receive if actively employed full time by the school board, where the teacher is studying during the sabbatical leave at a post-secondary institution outside the province, if the program of study is not readily available in the province.

(3) Where a teacher agrees to be actively employed by any school board in the province during his or her period of sabbatical leave, the teacher shall be paid, Salary if actively employed

(a) not more than 40% of the salary the teacher would have received for such employment, prorated for the actual period of active employment, if the teacher is entitled to receive salary during the sabbatical leave in the amount and circumstances described in clause (2)(a); and

(b) not more than 30% of the salary that the teacher would have received for such employment, prorated for the actual period of active employment, if the teacher is entitled to receive salary during the sabbatical leave in the amount and circumstances described in clause (2)(b).

4. These regulations come into force on December 30, 2006.

EXPLANATORY NOTES

SECTION 1 requires the Sabbatical Leave Committee to take into account the priority areas of need identified by the Minister when recommending the teachers who should be granted sabbatical leave.

SECTION 2 extends the date for submitting an application for sabbatical leave from December 15th to January 10th.

SECTION 3 establishes the amounts of salary that a teacher can earn while on sabbatical leave.

SECTION 4 provides for the commencement of these regulations.

EC2006-755

**TOURISM INDUSTRY ACT
REGULATIONS
AMENDMENT**

Pursuant to section 11 of the *Tourism Industry Act* R.S.P.E.I. 1988, Cap. T-3.3, Council made the following regulations:

1. Subsection 8.1(1) of the *Tourism Industry Act* Regulations (EC267/99) is amended by the deletion of the words “a form approved by the Minister” and the substitution of the words “Form 3”.

2. Schedule 1 of the regulations is amended by the addition after Form 2 of Form 3, as set out in the Schedule.

3. These regulations come into force on January 1, 2007.

SCHEDULE 1

FORM 3

[Department logo]

Monthly Occupancy Return

[Return form within 10 days after month end]

Freedom of Information and Protection of Privacy Statement

Information on this form is collected under clause 31(c) of Prince Edward Island’s *Freedom of Information and Protection of Privacy Act* and subsection 6(2) of the *Tourism Industry Act* and will be used for the purpose of tourism research and statistics reporting. If you have any questions about this collection of information, you may contact the Director of Policy, Planning and Research, Tourism PEI, PO Box 2000, Charlottetown, PE C1A 7N8, Tel: (902) 368-5540.

Section 1 – Return Period
This return is for the month of 20..... Notice: This information must be submitted on a monthly basis for each month your establishment is open, and must be received by the department within 10 days after the end of each month, eg., June occupancy information must be received by July 10.

Section 2 - Identification
Name of Tourism Establishment
Contact Name:
Contact Phone Number:
Contact e-mail Address:
Type of Establishment: <input type="checkbox"/> Fixed Roof <input type="checkbox"/> Campground
Notes: If your establishment consists of both a fixed roofed accommodation and campground, you must file a separate return for each. An accommodation unit is normally one room. However, a cottage or suite containing two or more bedrooms is considered <u>one</u> rentable unit. A campsite is also considered <u>one</u> rentable unit.

Section 3 – Supply of Accommodation Units Available This Month
A. Number of accommodation units available:
B. Number of nights establishment open this month:
Total supply of units available this month: A x B =
Example to calculate units available: If a cottage establishment has 10 cottages available, then the number of units available should be 10. If the establishment closes off 4 cottages from its inventory for the winter or for renovations, then the cottages would be removed from availability and not included in units available. The number of cottages available in this example would be 6. Notice: Winter rentals do not include units available or rented. Under the <i>Tourism Industry Act</i> , a winter rental means an establishment that provides temporary accommodation for a guest for a continuous period of more than one month and therefore is not defined by law as a tourism establishment.

Section 4 – Nights Rented and Geographic Origin Data			
Please provide the number of accommodation-unit nights rented by geographic origin.			
Example to calculate geographic origins: if a cottage establishment rents a total of 3 cottages for 5 nights to residents of Ontario in July, then 15 (3 cottages x 5 nights) should be entered in the space for Ontario.			
Motorcoach: Please indicate (on the right) the number of rooms rented to motorcoach. (Do not enter rooms rented for motorcoach in the columns below under the Canada, United States or International headings. The geographic origin of each motorcoach guest is not required.)			Motorcoach:
Canada		International	
Alberta		Australia	
British Columbia		China	
Manitoba		England	
New Brunswick		France	
Newfoundland		Germany	
NWT		Ireland	
Nova Scotia		Japan	
Nunavut		Netherlands	
Ontario		Scotland	
PEI		Switzerland	
Quebec		List others:	
Saskatchewan			
Yukon			
Total Canada		Total Int.	
United States			
Alabama		Louisiana	
Alaska		Maine	
Arizona		Maryland	
Arkansas		Massachusetts	
California		Michigan	
Colorado		Minnesota	
Connecticut		Mississippi	
Delaware		Missouri	
Florida		Montana	
Georgia		Nebraska	
Hawaii		Nevada	
Idaho		New Hampshire	
Illinois		New Jersey	
Indiana		New Mexico	
Iowa		New York	
Kansas		North Carolina	
Kentucky		North Dakota	
		Ohio	
		Oklahoma	
		Oregon	
		Pennsylvania	
		Rhode Island	
		South Carolina	
		South Dakota	
		Tennessee	
		Texas	
		Utah	
		Vermont	
		Virginia	
		Washington	
		West Virginia	
		Wisconsin	
		Wyoming	
		Washington DC	
Total USA			
Total Units Rented This Month:		Motorcoach	
		Canada	
		United States	
		International	
		Grand Total	

Section 5 – Submitting Your Return	
All information submitted will remain confidential. You may submit your information using any of the following options:	
Option A – Online System:	
You can access the online reporting function within the Province's Online Reservation System. Simply use your username and password to access the reporting function, click on the Occupancy Reporting tab and follow the steps.	
Note: If you wish to file online but do not want to participate in the online reservation system, you must obtain a username and password for security purposes. To obtain that, please contact Tourism PEI at the general inquiry number listed below.	
Option B – Completed form may be submitted by fax, mail or in person to:	
Tourism PEI – Occupancy Reporting	
PO Box 2000, 3 rd Floor Shaw Building	Fax: (902) 368-6155
Charlottetown, PE C1A 7N8	General Inquires: (902) 368-5540

EXPLANATORY NOTES

SECTION 1 removes a reference to a form approved by the Minister and replaces it with a reference to Form 3 of the Schedule.

SECTION 2 adds a Monthly Occupancy Form to the regulations.

SECTION 3 provides for the commencement of these regulations.

EC2006-756**NATURAL PRODUCTS MARKETING ACT
NATURAL PRODUCTS APPEALS TRIBUNAL
APPOINTMENT**

Pursuant to section 18 of the *Natural Products Marketing Act* R.S.P.E.I. 1988, Cap. N-3 Council made the following appointments:

NAME	TERM OF APPOINTMENT
John McCaughey Mount Stewart (vice Donald MacDonald, term expired)	19 December 2006 to 19 December 2009
Belinda Rogers Charlottetown (reappointed)	17 December 2005 to 17 December 2008