

EC2007-583

FINANCIAL ADMINISTRATION ACT
 AUTHORITY TO CANCEL AND WRITE-OFF DEBT
 OF
 PRINCE EDWARD ISLAND BUSINESS DEVELOPMENT INC.
 (FISCAL YEAR 2006/07)

Pursuant to subsection 26(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council authorized cancellation of a debt of Prince Edward Island Business Development Inc. to Her Majesty the Queen in right of the Province in the amount of \$6,959,079.

Further, pursuant to subsection 26.1(1) of the said Act, Council authorized the write-off of debts owing to the said Agency in the amount of \$6,959,079.

EC2007-584

FINANCIAL ADMINISTRATION ACT
 P.E.I. AGRICULTURAL RESEARCH INVESTMENT FUND INC.
 DECLARATION TO RECOUP LOSS
 (FISCAL YEAR 2006/07)

Having under consideration the recommendation of the Treasury Board (reference TB195/07 of September 19, 2007) and pursuant to section 72 of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council declared that the operating loss for the fiscal year ended 31 March 2007 of the P.E.I. Agricultural Research Investment Fund Inc. in the amount of \$99,332.00 be recouped from the accumulated surplus of the Corporation.

EC2007-585

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 PER-MAGNUS ANDERSSON AND ALYCIA ANDERSSON
 (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 Per-Magnus Andersson and Alycia Andersson, both of Dallas, Texas to acquire a land holding of approximately two decimal five (2.5) acres of land in Lot 53, Kings County, Province of Prince Edward Island, being acquired from Anthony Valchuis and Victoria Valchuis, both of Berlin, Massachusetts.

EC2007-586

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 OMAR A. ELZEIN AND FAIZAH M. ELZEIN
 (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 Omar A. Elzein and Faizah M. Elzein, both of Edmonton, Alberta to acquire a land holding of approximately twenty-five (25) acres of land in Lot 64, Kings County, Province of Prince Edward Island, being acquired from the Estate of Jeanette Pollard of Murray Harbour, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2007-587

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 HEATHER MATHIESON AND BARRY SWAIN
 (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 Heather Mathieson and Barry Swain, both of Edmonton, Alberta to acquire a land holding of approximately one decimal three (1.3) acres of land in Lot 64, Kings County, Province of Prince Edward Island, being acquired from Boyd Campbell and Stephen Campbell, both of Charlottetown, Prince Edward Island.

EC2007-588

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ELLEN MACDONALD AND PETER JARVIS
 (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 Ellen MacDonald and Peter Jarvis, both of Toronto, Ontario to acquire a land holding of approximately zero decimal five two (0.52) acres of land in Lot 44, 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.

EC2007-589

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 B4WIND INC. AND FOLEY-WEEKS 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 B4Wind Inc. and Foley-Weeks Inc., both of Alberton, Prince Edward Island to acquire a land holding of approximately seven decimal three three (7.33) acres of land in Lot 5, Prince County, Province of Prince Edward Island, being acquired from Gerhard Dieser and Aurella Dieser, both of Miscouche, Prince Edward Island.

EC2007-590

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 EASTSIDE FARM 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 Eastside Farm Inc. of Frenchfort, Prince Edward Island to acquire a land holding of approximately one hundred and seventy-seven decimal nine nine (177.99) acres of land in Lot 35, Queens County, Province of Prince Edward Island, being acquired from Bloyce Thompson, Guy Thompson and Rena Thompson, all of Frenchfort, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2007-591

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 WPI 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 WPI Inc. of Cornwall, Prince Edward Island to acquire a land holding of approximately zero decimal zero two (0.02) acres of land in Lot 31, Queens County, Province of Prince Edward Island, being acquired from Alan Ford and Shirley Ford, both of Clyde River, Prince Edward Island.

EC2007-592

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PROPERTY NO. 152850, 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 ninety-five decimal four four (95.44) acres of land, being Provincial Property No. 152850 located in Lot 56, Kings County, Prince Edward Island and currently owned by Arthur J. MacDonald and Angus Paul MacDonald, both of Souris, Prince Edward Island.

Council noted that this amendment will enable subdivision of a seventy (70) acre parcel of land and determined that following subdivision, identification for non-development use shall continue to apply to the new parcel and the remaining land.

This Order-in-Council comes into force on 2 October 2007.

EC2007-593

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 PONDSEDGE FARMS 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 Pondsedge Farms Inc. of Souris, Prince Edward Island to acquire a land holding of approximately seventy (70) acres of land in Lot 56, Kings County, Province of Prince Edward Island, being acquired from Arthur J. MacDonald and Angus Paul MacDonald, both of Souris, Prince Edward Island.

Further, Council noted that the said land holding, being part of Provincial Property No. 152850, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

EC2007-594

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 APPLICATION TO LEASE LAND
 MIDDLETON 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 Middleton Farms Ltd. of Middleton, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to five hundred (500) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Middleton 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.

EC2007-595

**REVENUE TAX ACT
REGULATIONS
AMENDMENT**

Pursuant to section 57 of the *Revenue Tax Act* R.S.P.E.I. 1988, Cap. R-14, Council made the following regulations:

1. Section 14.1 of the *Revenue Tax Act* Regulations (EC262/60) is repealed and the following substituted:

14.1 (1) Where a consumer

(a) applies, in accordance with section 261.4 of the *Excise Tax Act*, for a rebate pursuant to section 261.1 of that Act of the provincial component of the harmonized sales tax paid on a purchase of goods in another province for consumption in this province; and

Rebate – taxes
deemed to have
been paid

(b) executes and provides the Minister with a power of attorney, in a form satisfactory to the Minister, authorizing the Minister to act as the consumer's representative for purposes of the application for the rebate,

then, for the purpose of that application only, any tax payable under this Act by the consumer, equal to the amount of the rebate, is deemed to have been paid.

(2) Nothing in subsection (1) shall be interpreted to affect or limit in any way a consumer's liability to pay all or part of any tax payable under the Act by the consumer in the event that the application made by the Minister on behalf of the consumer for a rebate is rejected in part or in full by the Canada Revenue Agency.

Liability to pay tax

2. These regulations come into force on October 13, 2007.

EXPLANATORY NOTES

SECTION 1 amends the regulations to clarify the requirements for obtaining a rebate of the provincial component of the harmonized sales tax paid on a purchase of goods in another province for consumption in this province. The amendment requires the consumer to apply under the *Excise Tax Act* for the rebate and to provide the Minister with a power of attorney to act as the consumer's representative for the purpose of the application.

The section also clarifies that a consumer does not cease to be liable for the tax in the event that the application for the rebate is rejected by the Canada Revenue Agency.

SECTION 2 provides for the commencement of these regulations.

EC2007-596

**FARM PRACTICES ACT
FARM PRACTICES REVIEW BOARD
APPOINTMENTS**

Pursuant to subsection 3(1) of the *Farm Practices Act* R.S.P.E.I. 1988, Cap. F-4.1 Council made the following appointments:

NAME	TERM OF APPOINTMENT
via clause (a)	
Kelly Dawn Oliver Alberton (vice Stephen Knechtel, term expired)	2 October 2007 to 25 September 2009
via clause (b)	
Cynthia Frizzell Hunter River (vice Aike Wilting, term expired)	2 October 2007 to 25 September 2009
Stewart MacRae Ebenezer (vice Charles Murphy, term expired)	2 October 2007 to 25 September 2009

Further, Council designated Kelly Dawn Oliver as vice-chairperson of the Board in accordance with subsection 3(2) of the Act.