

**EC2009-49**

APPRENTICESHIP AND TRADES QUALIFICATION ACT  
PROVINCIAL APPRENTICESHIP BOARD  
APPOINTMENT

Pursuant to section 4 of the *Apprenticeship and Trades Qualification Act* R.S.P.E.I. 1988, Cap. A-15.1 Council made the following appointment:

NAME	TERM OF APPOINTMENT
as a member at large, via clause 4(2)(d)	
William Bishop Northam (vice George Charchuk, term expired)	27 January 2009 to 27 January 2012

**EC2009-50**

CITY OF SUMMERSIDE ACT  
BORROWING AUTHORITY  
APPROVED

Pursuant to subsection 43(2) of the *City of Summerside Act* R.S.P.E.I. 1988, Cap. S-9.1, Council authorized the City of Summerside to borrow the amount required for the Summerside Grandstand Project. Further, Council determined that the borrowing for this project is exempt from and does not have to be included as part of the City's debt for purposes of subsection 43(2) of the Act.

This Order-in-Council comes into force on 27 January 2009.

**EC2009-51**

EXECUTIVE COUNCIL ACT  
MINISTER OF HEALTH  
AUTHORITY TO ENTER INTO AN AGREEMENT  
(MEMORANDUM OF AGREEMENT (MOA) - SERVICES  
SCREENING FOR PREDIABETES  
AND UNDIAGNOSED TYPE 2 DIABETES)  
WITH THE  
PUBLIC HEALTH AGENCY OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12, Council authorized the Minister of Health to enter into an agreement with the Public Health Agency of Canada, as represented by the Minister of Health, to set out terms and conditions for implementation of the Upstream Screening for Prediabetes and Undiagnosed Type 2 Diabetes Project in Prince Edward Island, such as more particularly described in the draft agreement.

**EC2009-52**

EXECUTIVE COUNCIL ACT  
PROVINCIAL TREASURER  
AUTHORITY TO ENTER INTO AN AGREEMENT  
(PROJECT FUNDING AGREEMENT - DIAGNOSTIC IMAGING AND

PICTURE ARCHIVE AND COMMUNICATIONS SYSTEM  
UPGRADE PROJECT)  
WITH  
CANADA HEALTH INFOWAY INC.

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Provincial Treasurer to enter into an agreement with Canada Health Infoway Inc., to set out terms and conditions for funding the Diagnostic Imaging and Picture Archive and Communications System (PACS) Upgrade Project in Prince Edward Island, such as more particularly described in the draft agreement.

**EC2009-53**

AN ACT TO AMEND THE HEALTH SERVICES PAYMENT ACT  
DECLARATION RE

Under authority of section 2 of *An Act to Amend the Health Services Payment Act* Stats. P.E.I. 2008, c. 16, Council ordered that a Proclamation do issue proclaiming the said "An Act to Amend the Health Services Payment Act" to come into force effective 27 January 2009.

**EC2009-54**

**HEALTH SERVICES PAYMENT ACT  
REGULATIONS  
AMENDMENT**

Pursuant to section 5 of the *Health Services Payment Act* R.S.P.E.I. 1988, Cap. H-2, Council made the following regulations:

**1. Paragraph 1(d)(i)(P) of the *Health Services Payment Act Regulations (EC453/96)* is amended by deletion of the words "Medical Advisory Committee" and the substitution of the words "Health Services Payment Advisory Committee".**

**2. Sections 5 and 6 of the regulations are revoked and the following substituted:**

5. (1) The Medical Advisory Committee is continued on the date this section comes into force under the name of the Health Services Payment Advisory Committee. Health Services  
Payment Advisory  
Committee

(2) The Health Services Payment Advisory Committee shall be composed of not less than three, and not more than five, medical practitioners appointed by the Minister from among nominations submitted by the Medical Society. Composition

(3) The Medical Society shall nominate at least two medical practitioners for any vacant position on the Health Services Payment Advisory Committee. Nomination

(4) The members of the Medical Advisory Committee holding office immediately before the date this section comes into force shall be deemed to have been appointed under subsection (2) and, subject to subsections (6) and (7), shall continue to be members until the expiry of their original terms of office. Term of office

(5) The term of office of a member of the Health Services Payment Advisory Committee, other than those referred to in subsection (4), is three years, unless the member sooner resigns or his or her appointment is sooner revoked. Idem

(6) A member of the Health Services Payment Advisory Committee may resign by giving the Health Services Payment Advisory Committee, Resignation

the Minister and the Medical Society notice of his or her intention to resign.

(7) The Minister may revoke the appointment of any member of the Health Services Payment Advisory Committee

Revocation

- (a) for cause; or
- (b) for failure without reasonable excuse to attend three or more consecutive meetings of the Health Services Payment Advisory Committee.

(8) Before revoking the appointment of a member of the Health Services Payment Advisory Committee, the Minister shall cause a notice of the Minister's intention to revoke the appointment to be given to

Notice of intention to revoke

- (a) the Health Services Payment Advisory Committee;
- (b) the Medical Society; and
- (c) the member, unless the member cannot be found or has left the province.

(9) A revocation of a member's appointment made under subsection (7) may not take effect sooner than four weeks after all notices have been given as required in subsection (8).

Effective date

(10) Where a member of the Health Services Payment Advisory Committee ceases to be a member before the expiry of his or her term in office, the Minister shall appoint a medical practitioner nominated by the Medical Society in accordance with subsection (3) to serve the unexpired portion of the term of the former member.

Vacancy

(11) The members of the Health Services Payment Advisory Committee are entitled to such reimbursement for expenses incurred in the performance of their duties and to such remuneration for their services as members as the Minister may determine.

Remuneration

6. (1) The Health Services Payment Advisory Committee shall

Functions of Health Services Payment Advisory Committee

- (a) review and make recommendations on all such claims submitted to the Minister as the Minister refers to it;
- (b) advise and make recommendations to the Minister on all such matters affecting the effective and efficient administration of the Plan, the Act and the regulations as the Minister may refer to it;
- (c) review the facts relating to and make recommendations to the Minister concerning cases referred to it by the Minister involving a possible or alleged overservicing of a patient by a physician or an overutilization of basic services by an entitled person;
- (d) review the facts relating to and make recommendations to the Minister relating to the medical requirement of service provided by a physician in such cases as may be referred to it by the Minister;
- (e) make recommendations to the Minister relating to the expanding or restricting of the Plan or basic health services;
- (f) conduct or comment on any investigation or proposals relating to new, novel or unusual medical practices or procedures that have been suggested for inclusion under the Plan;
- (g) make recommendations relating to the establishment, amendment and interpretation of the tariff; and
- (h) advise on such other matters as may be referred to it by the Minister from time to time.

(2) Members of the Health Services Payment Advisory Committee

Powers of members

- (a) have all such powers in carrying out their duties under subsection (1) as may be conferred upon them or delegated to them by the Minister; and

(b) are hereby vested pursuant to the *Public Inquiries Act* R.S.P.E.I. 1988, Cap. P-31 with the powers of a commissioner under the *Public Inquiries Act*, and the members of the Health Services Payment Advisory Committee shall be deemed to have each been appointed under the *Public Inquiries Act* and to have been commissioned to cause inquiry into and concerning those matters that are within the powers of the Health Services Payment Advisory Committee and within the context and terms of reference referred to in subsection (1).

(3) All such information as may come before the Health Services Payment Advisory Committee shall be dealt with by the Committee in confidence and the provisions of section 17 of the Act apply to the Health Services Payment Advisory Committee. Confidentiality

**3. Subsection 16(2) of the regulations is amended by the deletion of the words “Medical Advisory Committee” and the substitution of the words “Health Services Payment Advisory Committee”.**

**4. These regulations come into force on February 7, 2009.**

#### EXPLANATORY NOTES

The amendment removes references to the “Medical Advisory Committee” and replaces the references with the “Health Services Payment Advisory Committee” in the applicable provisions.

#### EC2009-55

#### ISLAND INVESTMENT DEVELOPMENT ACT FINANCIAL ASSISTANCE REGULATIONS PAN AMERICAN PROPERTIES INC. AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to advance a capital loan in the amount of four million four hundred and thirty thousand dollars (\$4,430,000.00) to Pan American Properties Inc. on terms and conditions acceptable to the Board of Directors of Island Investment Development Inc.

#### EC2009-56

#### LENDING AGENCY ACT CAVENDISH FARMS CORPORATION AUTHORIZATION

Council, pursuant to subsection 2(2) of the *Lending Agency Act* Regulations (EC1999-406), authorized the Prince Edward Island Lending Agency to increase the existing capital loan to Cavendish Farms Corporation for establishment of an innovation centre at Holland College’s Culinary Institute of Canada and amended Order-in-Council EC2008-770 dated 9 December 2009 by deleting the words “in the maximum amount of \$4,400,000.00” and substituting the words “in the maximum amount of \$5,000,000.00”.

**EC2009-57**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
JUDITH ANNE GLORIA BELL  
(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 Judith Anne Gloria Bell of Toronto, Ontario to acquire an interest in a land holding of approximately ninety-six decimal zero two (96.02) acres of land in Lot 32, Queens County, Province of Prince Edward Island, being acquired from Francis Bell of Hamilton, Ontario.

**EC2009-58**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
101144 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 101144 P.E.I. Inc. of Stratford, Prince Edward Island to acquire a land holding of approximately seven (7) acres of land in Lot 48, Queens County, Province of Prince Edward Island, being acquired from Pan-American Properties Inc. of Charlottetown, Prince Edward Island.

**EC2009-59**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
101262 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 101262 P.E.I. Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately one decimal six six (1.66) acres of land in Lot 25, Prince County, Province of Prince Edward Island, being acquired from T L M T Holdings Ltd. of North Bedeque, Prince Edward Island.

**EC2009-60**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ATKINS ACRES 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 Atkins Acres Inc. of Glenroy, Prince Edward Island to acquire a land holding of approximately forty-four decimal five two (44.52) acres of land in Lot 37, Queens

County, Province of Prince Edward Island, being acquired from Thomas L. Atkins of Glenroy, 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.

**EC2009-61**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ATKINS ACRES 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 Atkins Acres Inc. of Glenroy, Prince Edward Island to acquire a land holding of approximately thirteen decimal four one (13.41) acres of land in Lot 34, Queens County, Province of Prince Edward Island, being acquired from Thomas L. Atkins and Patricia A. Atkins, both of Glenroy, Prince Edward Island.

**EC2009-62**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
BGB HOLDINGS 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 BGB Holdings Ltd. of Hunter River, Prince Edward Island to acquire a land holding of approximately seventeen decimal two five (17.25) acres of land in Lot 24, Queens County, Province of Prince Edward Island, being acquired from Ronald Toombs of Hunter River, Prince Edward Island.

**EC2009-63**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
DOROTHY C. PENNY REVOCABLE TRUST  
(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 Dorothy C. Penny Revocable Trust of Hillsborough, New Hampshire to acquire a land holding of approximately zero decimal seven two (0.72) acres of land in Lot 53, Kings County, Province of Prince Edward Island, being acquired from David Penny, Dorothy Penny and Greg Penny, all of Hillsborough, New Hampshire.

**EC2009-64**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ISLAND NATURE TRUST  
(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 Island Nature Trust of Charlottetown, Prince Edward Island to acquire a land holding of approximately one hundred and seventy-three decimal one (173.1) acres of land in Lot 41, Kings County, Province of Prince Edward Island, being acquired from Charles (Chuck) Perret and Gloria McKinnon Perret, both of Torrington, Connecticut 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.

**EC2009-65**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
LONE STAR DEVELOPMENTS 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 Lone Star Developments Inc. of Miscouche, Prince Edward Island to acquire a land holding of approximately ten decimal six one (10.61) acres of land in Lot 17, Prince County, Province of Prince Edward Island, being acquired from Donald U. Gillis of Miscouche, Prince Edward Island.

**EC2009-66**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PROPERTY NO. 801126, LOT 67, 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 made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately seventy-four decimal two nine (74.29) acres of land, being Provincial Property No. 801126 located in Lot 67, Queens County, Prince Edward Island and currently owned by Monaghan Farms Ltd. of Kensington, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately seven decimal eight four (7.84) acres, and determined that following subdivision, identification for non-development use shall continue to apply to the new parcel and to the remaining land.

This Order-in-Council comes into force on 27 January 2009.

**EC2009-67**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
WEEKS HOLSTEINS 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 Weeks Holsteins Inc. of Kensington, Prince Edward Island to acquire a land holding of approximately seven decimal eight four (7.84) acres of land in Lot 67, Queens County, Province of Prince Edward Island, being acquired from Monaghan Farms Ltd. of Grahams Road, Prince Edward Island.

Further, Council noted that the said land holding, being part of Provincial Property No. 801126, 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.

**EC2009-68**

NATURAL PRODUCTS MARKETING ACT  
PRINCE EDWARD ISLAND MARKETING COUNCIL  
APPOINTMENT

Pursuant to subsection 2(2) of the *Natural Products Marketing Act* R.S.P.E.I. 1988, Cap. N-3 Council made the following appointment:

<b>NAME</b>	<b>TERM OF APPOINTMENT</b>
Derwin Clow	27 January 2009
Freetown	to
(vice Rodney Dingwell, term expired)	27 January 2012