

EC2009-636

EXECUTIVE COUNCIL ACT
 MINISTER OF HEALTH
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (FEDERAL/PROVINCIAL/TERRITORIAL
 MEMORANDUM OF UNDERSTANDING ON
 ROLES AND RESPONSIBILITIES IN PANDEMIC INFLUENZA
 PREPAREDNESS AND RESPONSE FOR THE HEALTH SECTOR
 IN THE 2009 H1N1 OUTBREAK)
 WITH
 THE GOVERNMENT OF CANADA
 AND
 THE GOVERNMENTS OF THE PROVINCES AND
 THE TERRITORIES

Pursuant to clauses 10(a) and (b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12, Council authorized the Minister of Health to enter into a memorandum of understanding with the Government of Canada, and the Governments of the other Provinces and the Territories, as represented by their respective Ministers responsible for health, to set out roles and responsibilities with respect to pandemic preparedness and response in the 2009 H1N1 outbreak, such as more particularly described in the draft agreement.

EC2009-637

EXECUTIVE COUNCIL ACT
 MINISTER OF HEALTH
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (MEMORANDUM OF UNDERSTANDING
 RE RADIATION THERAPY SERVICES)
 WITH THE
 GOVERNMENTS OF NOVA SCOTIA
 NEW BRUNSWICK
 AND
 NEWFOUNDLAND AND LABRADOR

Pursuant to clause 10(b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Health to enter into a memorandum of understanding with the Governments of Nova Scotia and New Brunswick, as represented by their Ministers of Health, and the Government of Newfoundland and Labrador, as represented by the Minister of Health and Community Services and the Minister for Intergovernmental Affairs, to develop a collaborative approach among the Atlantic Provinces to provide timely access to radiation therapy services, such as more particularly described in the draft agreement.

EC2009-638

**FATHERS OF CONFEDERATION BUILDINGS ACT
FATHERS OF CONFEDERATION BUILDINGS TRUST
APPOINTMENTS**

Pursuant to section 3 of the *Fathers of Confederation Buildings Act* R.S.P.E.I. 1988, Cap. F-6 Council made the following appointments:

NAME	TERM OF APPOINTMENT
via subsection (1)	
Sherry Huang Stratford (vice Anne Kelly, term expired)	17 November 2009 to 31 July 2012
Dr. Colin J. McMillan Stratford (reappointed)	31 July 2009 to 31 July 2012
Dr. Gregory Mitton Charlottetown (vice Ray Murphy, term expired)	17 November 2009 to 31 July 2012
Michael Schurman Summerside (reappointed)	31 July 2009 to 31 July 2012
Barbara Stevenson, Q.C. Charlottetown (vice Angèle Arsenault, term expired)	17 November 2009 to 31 July 2012
Jim Travers, Q.C. Charlottetown (reappointed)	31 July 2009 to 31 July 2010
via subsection (2)	
William Andrew Alberta (reappointed)	31 July 2009 to 31 July 2012
Hon. John Crosbie Newfoundland and Labrador (reappointed)	31 July 2009 to 31 July 2012
Susan Fitzpatrick Quebec (reappointed)	31 July 2009 to 31 July 2012
Frederick Jackman Ontario (reappointed)	31 July 2009 to 31 July 2011
M. Taleeb Noormohamed British Columbia (vice Peter Hebb, term expired)	17 November 2009 to 31 July 2012

EC2009-639

**HOUSING CORPORATION ACT
COMPREHENSIVE HOME REPAIR
PROGRAM REGULATIONS
REVOCATION**

Pursuant to section 15 of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1, Council made the following regulations:

- 1. The *Housing Corporation Act* Comprehensive Home Repair Program Regulations (EC403/92) are revoked.**
- 2. These regulations come into force on December 5, 2009.**

EXPLANATORY NOTES

SECTION 1 revokes the Comprehensive Home Repair Program Regulations made under the *Housing Corporation Act*.

SECTION 2 provides for the commencement of these regulations.

EC2009-640

**HOUSING CORPORATION ACT
CO-OPERATIVE HOUSING ASSOCIATIONS REGULATIONS
REVOCATION**

Pursuant to section 15 of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1, Council made the following regulations:

- 1. The *Housing Corporation Act* Co-operative Housing Associations Regulations (EC678/75) are revoked.**
- 2. These regulations come into force on December 5, 2009.**

EXPLANATORY NOTES

SECTION 1 revokes the Co-operative Housing Associations Regulations made under the *Housing Corporation Act*.

SECTION 2 provides for the commencement of these regulations.

EC2009-641

**HOUSING CORPORATION ACT
EMERGENCY HOME REPAIR PROGRAM REGULATIONS
REVOCATION**

Pursuant to section 15 of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1, Council made the following regulations:

- 1. The *Housing Corporation Act* Emergency Home Repair Program Regulations (EC169/85) are revoked.**
- 2. These regulations come into force on December 5, 2009.**

EXPLANATORY NOTES

SECTION 1 revokes the Emergency Home Repair Program Regulations made under the *Housing Corporation Act*.

SECTION 2 provides for the commencement of these regulations.

EC2009-642

**HOUSING CORPORATION ACT
LOW INCOME ASSISTED HOME OWNERSHIP
SUPPLEMENT PROGRAM REGULATIONS
REVOCATION**

Pursuant to section 15 of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1, Council made the following regulations:

- 1. The *Housing Corporation Act* Low Income Assisted Home Ownership Supplement Program Regulations (EC658/76) are revoked.**
- 2. These regulations come into force on December 5, 2009.**

EXPLANATORY NOTES

SECTION 1 revokes the Low Income Assisted Home Ownership Supplement Program Regulations made under the *Housing Corporation Act*.

SECTION 2 provides for the commencement of these regulations.

EC2009-643

**HOUSING CORPORATION ACT
PROVINCIAL CONTRIBUTION TO SENIORS -
HOME REPAIR REGULATIONS
REVOCATION**

Pursuant to section 15 of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1, Council made the following regulations:

- 1. The *Housing Corporation Act* Provincial Contribution to Seniors - Home Repair Regulations (EC1135/80) are revoked.**
- 2. These regulations come into force on December 5, 2009.**

EXPLANATORY NOTES

SECTION 1 revokes the Provincial Contribution to Seniors - Home Repair Regulations made under the *Housing Corporation Act*.

SECTION 2 provides for the commencement of these regulations.

EC2009-644

**HOUSING CORPORATION ACT
SERVICED LOT SUBSIDY REGULATIONS
REVOCATION**

Pursuant to section 15 of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1, Council made the following regulations:

- 1. The *Housing Corporation Act* Serviced Lot Subsidy Regulations (EC687/76) are revoked.**
- 2. These regulations come into force on December 5, 2009.**

EXPLANATORY NOTES

SECTION 1 revokes the Serviced Lot Subsidy Regulations made under the *Housing Corporation Act*.

SECTION 2 provides for the commencement of these regulations.

EC2009-645

**PRINCE EDWARD ISLAND LANDS PROTECTION ACT
EXEMPTION REGULATIONS
AMENDMENT**

Pursuant to clause 17(1)(b) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council made the following regulations:

1. The *Prince Edward Island Lands Protection Act Exemption Regulations* (EC368/88) are amended by the addition of the following after section 34:

35. (1) For the purposes of this section, “environmentally significant class of land holding” means any land holding other than a “natural area class of land holding” that

Environmentally significant class of land holding

- (a) the Department of Agriculture has certified as being
 - (i) agricultural land that is identified in the PEI Sloped Land Inventory that is verified as having been converted from row crops by the owner through tree planting,
 - (ii) land that is being utilized as an erosion control structure approved by the Department of Agriculture,
 - (iii) land on which there is a hedgerow that meets the Department of Agriculture’s criteria and standards for hedgerows, or
 - (iv) land that is verified to be a permanent grassed headland that does not include any land that is required to be used as a buffer under the *Environmental Protection Act* Watercourse and Wetland Protection Regulations; or
- (b) the Department of Environment, Energy and Forestry has certified as being
 - (i) land that is identified in the PEI Wetlands Atlas as designated wetlands,
 - (ii) land that is identified in the PEI Corporate Land Use Inventory as forested land, or
 - (iii) land that is required to be used as a buffer under the *Environmental Protection Act* Watercourse and Wetland Protection Regulations or land that is required to expand a required buffer onto marginal agricultural land.

(2) All land holdings that are certified to be in the “environmentally significant class of land holding” are eligible for exemption from the section 2 aggregate land holding limits contained in the Act up to a maximum of 40% of current aggregate land holdings, to a maximum of 400 acres for a person and 1200 acres for a corporation, of which no more than 80% (320 acres for a person and 960 acres for a corporation) shall be forested land.

Land designated as environmentally significant class of land holding

2. These regulations come into force on December 5, 2009.

EXPLANATORY NOTES

SECTION 1 adds a provision to the regulations in respect of the newly created “environmentally significant class of land holding”. This new class of land holding is defined and the provision provides that this class of land holding is exempt from the aggregate land holding limits contained in section 2 of the Act.

SECTION 2 provides for the commencement of these regulations.

EC2009-646

**PRINCE EDWARD ISLAND LANDS PROTECTION ACT
STATEMENT OF REASONS
FOR AN AMENDMENT
TO EXEMPTION REGULATIONS (EC368/88)**

Pursuant to subsection 17(2) of the *Prince Edward Island Lands Protection Act*, R.S.P.E.I. 1988, Cap. L-5, Council authorized the following statement to be tabled in the Legislative Assembly:

STATEMENT

1. Description of the undertaking in respect of which the exemption was granted:

An amendment was made to the *Prince Edward Island Lands Protection Act* Exemption Regulations (EC368/88) to exempt from the aggregate land holding limits contained in section 2 of the Act, land certified by either the Department of Environment, Energy and Forestry or the Department of Agriculture as being in the “environmentally significant class of land holding”.

2. Reasons for Exemption:

The amendment approved via Order-in-Council EC2009-645 dated 24 November 2009 will encourage greater protection of environmentally significant land by reducing the pressure for farmers to convert marginal land to agriculture because of land ownership limits. It will also encourage a greater level of environmental responsibility in farming as farmers will not be penalized by the loss of productive land to hedgerows, buffer zones, berms, etc

EC2009-647

**PRINCE EDWARD ISLAND LANDS PROTECTION ACT
FORMS REGULATIONS
AMENDMENT**

Pursuant to clause 17(1)(c) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council made the following regulations:

1. Clauses 1(c) to (g) of the *Prince Edward Island Lands Protection Act* Forms Regulations (EC219/96) are revoked.
2. Form 1 of the regulations is revoked and Form 1 as set out in Schedule I to these regulations is substituted.
3. Form 2 of the regulations is revoked and Form 2 as set out in Schedule II to these regulations is substituted.
4. Form 3, Form 4A, Form 4B, Form 5A and Form 5B of the regulations are revoked.
5. Form 8 of the regulations is revoked and Form 8 as set out in Schedule III to these regulations is substituted.
6. These regulations come into force on December 5, 2009.

SCHEDULE I

FORM 1

APPLICATION BY OR ON BEHALF OF A **NON-RESIDENT** PURSUANT TO SECTION 4 OF THE *PRINCE EDWARD ISLAND LANDS PROTECTION ACT* (THE ACT)

LAND APPROVED FOR ACQUISITION MAY BE SUBJECT TO CONDITIONS IMPOSED BY THE LIEUTENANT GOVERNOR IN COUNCIL

NOTE: Multiple parcels may be included on a single application form provided the transaction is between the same purchaser(s) and vendor(s). However, questions #10-15 must be answered for each parcel individually (attach a schedule if necessary).

- 1. Applicant's name:
- 2. Applicant's permanent address:
- 3. Present land owner's name:
- 4. Present land owner's permanent address:
- 5. Vendor's name, if different than present land owner:
- 6. Vendor's permanent address:
- 7. Approximate date of acquisition by the PRESENT LAND OWNER:
- 8. Type of transaction (check one):
- (a) purchase (d) bequest
- (b) transfer (e) lease
- (c) gift (f) other (specify)
- 9. Agreed purchase price:

10. Property Number (from property tax bill)	Acreage	Community	Township or Lot Number	County	Shore frontage (feet)
(a)
(b)
(c)
(d)

- 11. If the interest is being acquired by lease:
Total value of the lease \$ Lease term: years
- 12. Are there buildings located on the parcel? If yes, describe the buildings or other structures:
- 13. State the present acreage breakdown of each parcel separately:
(a) cropland (d) marsh
- (b) pasture (e) other (specify)
- (c) woodland
- 14. State the intended use for each parcel separately:
(a) permanent residence If so, when (c) commercial
- (b) seasonal residence (f) industrial
- (c) agriculture (g) subdivision of lots*
- (d) forestry (h) other (specify)

***If the intended use is "subdivision of lots" indicate whether a subdivision application has been filed and/or approved by the Department of Communities, Cultural Affairs and Labour. If so, provide a copy of the letter granting preliminary approval and a sketch showing the proposed subdivision or the approved subdivision plan.**

15. Has each parcel been used for agriculture in the last five years? (Answer separately for multiple parcels)

16. In accordance with subsection 9(1) of the *Prince Edward Island Lands Protection Act*, the Lieutenant Governor in Council may impose such conditions on a permit issued under section 4 or 5 of the Act as the Lieutenant Governor in Council may consider expedient including a condition that the land not be subdivided or that the land be identified for non-development use pursuant to the Land Identification Regulations made under the Act. Land identified for non-development use cannot be further subdivided or used for commercial or industrial purposes. (For more details, refer to subsection 9(1) of the *Prince Edward Island Lands Protection Act*.) Land cannot be identified for non-development use if:

- (a) the parcel is located in a community that has an official plan;
- (b) the parcel is less than five (5) acres in size and has less than 165 feet of shore frontage;
- (c) planning approval has been granted for development of the entire parcel.

If Executive Council imposes one or more conditions pursuant to subsection 9(1) of the Act, are you prepared to complete the transaction? If no, state reasons:

17. State the parcel number and acreage of each parcel of land** in the Province in which the applicant and his minor children hold an interest, including land** held by way of lease. (Attach separate sheet if necessary.)

****The Act excludes any parcel of land, existing on May 1, 1995, of less than one acre that is situated within a city or town.**

18. If the applicant already owns land in the province, explain how that land will be used and explain why additional land is required:

19. For any corporation owning or leasing land within the Province in which the applicant or his minor children hold more than 5% of the shares*** as defined in clause 1(1)(l) of the Act (see below), provide on a separate sheet and attach:

- (a) the name and permanent address of the corporation;
- (b) the total number of shares issued by the corporation;
- (c) the total number of shares held by the applicant and the applicant's minor children; and
- (d) the parcel number and acreage of each parcel of land** in the province now owned or leased by the corporation.

***(l) "share" means

- (i) in relationship to a partnership or co-operative association, a unit representing a proportion of the ownership of the partnership or association;
- (ii) in relation to a corporation, an issued share carrying voting rights under all circumstances or by reason of the occurrence of an event that has occurred and that is continuing, and includes

- (A) a security currently convertible into such a share, and
- (B) currently exercisable options and rights to acquire such a share or such a convertible security.

20. With respect to trusts, provide on a separate sheet and attach:

- (a) the names and land holdings, including parcel numbers and acreages of the trustee(s) of the trust;
- (b) if the trust is non-discretionary, the names and land holdings, including parcel numbers and acreages, of the beneficiaries of the trust; or
- (c) if the trust is discretionary, please file either a copy of the trust agreement or an affidavit which contains, or has attached as a schedule, the sections of the trust agreement that grants the discretion to the trustee(s).

21. Details of advertising of the land on the local real estate market may be required. Refer to the Administrative Guidelines for Advertising Land for more information. Where applicable, provide the response to one of the following:

- (a) If the parcel **was listed through a local real estate company**, state the following:
 - (i) real estate company:
 - (ii) date the listing agreement began:
 - (iii) date the listing agreement expires or expired:
 - (iv) list price:
 - (v) details of interest expressed by residents of the province, including offers that were made and the reasons that those offers were not accepted:.....
- (b) If the parcel **was not listed with a local real estate company**, explain how the parcel was suitably advertised as outlined in the Administrative Guidelines for Advertising Land. Also, provide details of any interest expressed by residents of the province, including offers that were made and the reasons that those offers were not accepted:
- (c) If the parcel **was not suitably advertised**, provide a submission explaining why the advertising requirements should be waived:

22. State any other circumstances that are relevant:

23. I hereby certify that this application is complete and that the information herein, and attached hereto, is true and correct in all respects.

Signature of applicant or attorney	Date
Name of signatory (please print)	Address
Telephone	Email address

ATTACH:

- (a) a legal description of the parcel(s) to be acquired;
- (b) a GeoLinc map showing the parcel(s) to be acquired outlined in red; and
- (c) a cheque made payable to the Island Regulatory and Appeals Commission when applicable. Refer to the Fees Regulations to determine the applicable fee.

RETURN COMPLETED FORM TO:

Island Regulatory and Appeals Commission	Telephone: 902-892-3501
Suite 501- 134 Kent Street	1-800-501-6268 (Toll Free in PEI and NS)
P. O. Box 577	Fax: (902) 566-4076
Charlottetown, PE C1A 7L1	Website: www.irac.pe.ca

Information on this Form is collected pursuant to the *Lands Protection Act* and will be used by the Commission in the administration of the said Act. For additional information, contact the Commission at (902) 892-3501 or by email at info@irac.pe.ca

SCHEDULE II

FORM 2

APPLICATION BY OR ON BEHALF OF A **CORPORATION** PURSUANT TO SECTION 5 OF THE *PRINCE EDWARD ISLAND LANDS PROTECTION ACT* (THE ACT)

LAND APPROVED FOR ACQUISITION MAY BE SUBJECT TO CONDITIONS IMPOSED BY THE LIEUTENANT GOVERNOR IN COUNCIL

NOTE: Multiple parcels may be included on a single application form provided the transaction is between the same purchaser(s) and vendor(s). However, questions #12-18 must be answered for each parcel individually (attach a schedule if necessary).

1. Applicant corporation's name:
 2. Place of incorporation:
 3. Applicant corporation's permanent address:
 4. Type of business in which corporation is engaged:
 5. Present land owner's name:
 6. Present land owner's permanent address:
 7. Vendor's name if different than present land owner:
 8. Vendor's permanent address:
 9. Approximate date of acquisition by the PRESENT LAND OWNER:
 10. Type of transaction (check one):
 - (a) purchase (d) bequest
 - (b) transfer (e) lease
 - (c) gift (f) other (specify)
 11. Agreed purchase price:
 12. Property Number Acreage Community Township or County Shore frontage
 (from property Lot Number (feet)
 tax bill)
 - (a)
 - (b)
 - (c)
 - (d)
 13. If the interest is being acquired by lease:
 Total value of the lease \$ Lease term: years
 14. Are there buildings located on the parcel? If yes, describe the buildings or other structures:
 15. State the present acreage breakdown of each parcel separately:
 (a) cropland (d) marsh
 - (b) pasture (e) other (specify)
 - (c) woodland
 16. State the intended use for each parcel separately:
 (a) permanent residenceIf so, when (e) commercial
 - (b) seasonal residence (f) industrial
 - (c) agriculture (g) subdivision of lots*
 - (d) forestry (h) other (specify)
- *If the intended use is "subdivision of lots" indicate whether a subdivision application has been filed and/or approved by the Department of Communities, Cultural Affairs and Labour. If so, provide a copy of the letter granting preliminary approval and a sketch showing the proposed subdivision or the approved subdivision plan.**

17. Has each parcel been used for agriculture in the last five years? (Answer separately for multiple parcels)

18. In accordance with subsection 9(1) of the *Prince Edward Island Lands Protection Act*, the Lieutenant Governor in Council may impose such conditions on a permit issued under section 4 or 5 of the Act as the Lieutenant Governor in Council may consider expedient including a condition that the land not be subdivided or that the land be identified for non-development use pursuant to the Land Identification Regulations made under the Act. Land identified for non-development use cannot be further subdivided or used for commercial or industrial purposes. (For more details, refer to subsection 9(1) of the *Prince Edward Island Lands Protection Act*.) Land cannot be identified for non-development use if:

- (a) the parcel is located in a community that has an official plan;
- (b) the parcel is less than five (5) acres in size and has less than 165 feet of shore frontage;
- (c) planning approval has been granted for development of the entire parcel.

If Executive Council imposes one or more conditions pursuant to subsection 9(1) of the Act, are you prepared to complete the transaction? If no, state reasons:

19. For the applicant corporation, provide on a separate sheet and attach:
 - (a) the parcel number and acreage of each parcel of land** in the province now owned or leased by the corporation (including global leases);
 - (b) the name and permanent address of each officer and director of the corporation;
 - (c) the total number of shares*** issued by the applicant corporation;
 - (d) the names, addresses and number of shares held by shareholders, both corporate and individual, who hold more than 5% of the issued shares of the applicant corporation;
 - (e) for the shareholders listed in clause (d) above provide:
 - (i) the parcel number and acreage of each parcel of land in the province now owned or leased by each shareholder (including holdings of minor children); and
 - (ii) the parcel number and acreage of each parcel owned or leased by any other corporation in which each shareholder holds more than 5% of the shares, total number of shares issued by that corporation and number of shares held by that shareholder;

- (f) if the applicant corporation holds more than 5% of the shares in any other corporation(s), provide the following for each corporation:
 - (i) the percentage of shares held by the applicant corporation; and
 - (ii) the parcel number and acreage of each parcel of land owned or leased.

****The Act excludes any parcel of land, existing on May 1, 1995, of less than one acre that is situated within a city or town.**

*****(I) "share" means**

- (i) in relationship to a partnership or co-operative association, a unit representing a proportion of the ownership of the partnership or association;**
- (ii) in relation to a corporation, an issued share carrying voting rights under all circumstances or by reason of the occurrence of an event that has occurred and that is continuing, and includes**
 - (A) a security currently convertible into such a share, and**
 - (B) currently exercisable options and rights to acquire such a share or such a convertible security.**

- 20.** With respect to trusts, provide on a separate sheet and attach:
- (a) the names and land holdings, including parcel numbers and acreages of the trustee(s) of the trust;
 - (b) if the trust is non-discretionary, the names and land holdings, including parcel numbers and acreages, of the beneficiaries of the trust; or
 - (c) if the trust is discretionary, please file either a copy of the trust agreement or an affidavit which contains, or has attached as a schedule, the sections of the trust agreement that grants the discretion to the trustee(s).
- 21.** Details of advertising of the land on the local real estate market may be required. Refer to the Administrative Guidelines for Advertising Land for more information. Where applicable, provide the response to **one** of the following:
- (a) if the parcel **was listed through a local real estate company**, state the following:
 - (i) real estate company:
 - (ii) date the listing agreement began:
 - (iii) date the listing agreement expires or expired:
 - (iv) list price:
 - (v) details of interest expressed by residents of the province, including offers that were made and the reasons that those offers were not accepted:.....
 - (b) If the parcel **was not listed with a local real estate company**, explain how the parcel was suitably advertised as outlined in the Administrative Guidelines for Advertising Land. Also, provide details of any interest expressed by residents of the province, including offers that were made and the reasons that those offers were not accepted
 - (c) If the parcel **was not suitably advertised**, provide a submission explaining why the advertising requirements should be waived
- 22.** State any other circumstances that are relevant
- 23.** I hereby certify that this application is complete and that the information herein, and attached hereto, is true and correct in all respects.

Signature of corporate officer or attorney	Date
Name of signatory (please print)	Address
Telephone	Email address

ATTACH: (a) a legal description of the parcel(s) to be acquired;
 (b) a GeoLinc map showing the parcel(s) to be acquired outlined in red; and
 (c) a cheque made payable to the Island Regulatory and Appeals Commission when applicable. Refer to the Fees Regulations to determine the applicable fee.

RETURN COMPLETED FORM TO:
 Island Regulatory and Appeals Commission Telephone: 902-892-3501
 Suite 501- 134 Kent Street 1-800-501-6268 (Toll Free in PEI and NS)
 P. O. Box 577 Fax: (902) 566-4076
 Charlottetown, PE C1A 7L1 Website: www.irac.pe.ca

Information on this Form is collected pursuant to the *Lands Protection Act* and will be used by the Commission in the administration of the said Act. For additional information, contact the Commission at (902) 892-3501 or by email at info@irac.pe.ca

SCHEDULE III

FORM 8

**APPLICATION BY OR ON BEHALF OF A NON-RESIDENT OR CORPORATION
PURSUANT TO CLAUSE 5.3(1)(b) OF THE
PRINCE EDWARD ISLAND LANDS PROTECTION ACT**

- 1. Applicant's name:
- 2. Place of incorporation (for applicant corporation):
- 3. Type of business in which applicant corporation is engaged:
- 4. Applicant's permanent address:
- 5. Total acreage proposed to be leased:
- 6. Intended use of proposed leased land:

IF THE APPLICANT IS A PERSON:

7. State the parcel number and acreage of each parcel of land* in the Province in which the applicant and the applicant's minor children hold an interest, including land* held by way of lease. (Attach a separate sheet if necessary.)

8. If the applicant or the applicant's minor children hold more than 5% of the shares of any corporation owning or leasing land* within the Province, provide on a separate sheet and attach:
- (a) the name and permanent address of the corporation;
 - (b) the total number of shares** issued by the corporation;
 - (c) the total number of shares** held by the applicant and the applicant's minor children; and
 - (d) the parcel number and acreage of each parcel of land* in the province now owned or leased by the corporation.

IF THE APPLICANT IS A CORPORATION:

9. Provide on a separate sheet and attach:
- (a) the parcel number and acreage of each parcel of land* in the province now owned or leased by the corporation;
 - (b) the name and permanent address of each officer and director of the corporation;
 - (c) the total number of shares** issued by the applicant corporation;
 - (d) the names, addresses and number of shares** held by shareholders, both corporate and individual, who hold more than 5% of the shares of the applicant corporation;
 - (e) for the shareholders listed in clause (d) list:
 - (i) the parcel number and acreage of each parcel of land* in the province now owned or leased by each shareholder (including holdings of minor children); and
 - (ii) the parcel number and acreage of land holding of any other corporation in which each shareholder holds more than 5% of the shares**, total number of shares** issued by that corporation and number of shares** held by that shareholder;
 - (f) if the applicant corporation holds more than 5% of the shares** in any other corporation(s) but does not control the corporation(s), provide the following for each corporation:
 - (i) the percentage of shares** held by the applicant corporation;
 - (ii) the parcel number and acreage of each parcel of land* owned or leased.

***The Act excludes any parcel of land, existing on May 1, 1995, of less than one acre that is situated within a city or town.**

**** (1) "share" means**
(i) in relationship to a partnership or co-operative association, a unit representing a proportion of the ownership of the partnership or association;
(ii) in relation to a corporation, an issued share carrying voting rights under all circumstances or by reason of the occurrence of an event that has occurred and that is continuing, and includes
(A) a security currently convertible into such a share, and
(B) currently exercisable options and rights to acquire such a share or such a convertible security.

FOR APPLICANT PERSONS AND CORPORATIONS:

10. Indicate any other circumstances that are relevant

11. I hereby certify that this application is complete and that the information herein, and attached hereto, is true and correct in all aspects.

.....
 Signature of applicant or attorney Date
 (in the case of a corporation, an authorized corporate officer)

.....
 Name of signatory (please print) Address

.....
 Telephone Email Address

In accordance with the Fees Regulations, an application filed by a non-resident person, a non-resident corporation or a corporation where the majority of shares are beneficially owned by non-resident(s) is subject to a fee. If applicable, please attach a cheque made

EXECUTIVE COUNCIL _____ 24 NOVEMBER 2009

payable to the Island Regulatory and Appeals Commission. Refer to the Fees Regulations to determine the applicable fee.

RETURN COMPLETED FORM TO:

Island Regulatory and Appeals Commission Telephone: 902-892-3501 or
Suite 501- 134 Kent Street 1-800-501-6268 (Toll Free in PEI and NS)
P. O. Box 577 Fax: (902) 566-4076
Charlottetown, PE C1A 7L1 Website: www.irac.pe.ca

NOTE: In accordance with subsection 5.3(2) of the *Prince Edward Island Lands Protection Act* where permission has been granted by the Lieutenant Governor in Council for a lease of land, the person or corporation shall within one year of receiving permission and in every subsequent year, prior to December 31, file a statement disclosing information prescribed by subsection 5.3(3) of the Act.

Subsections 5.3(2) and (3) of the Act state:

(2) Where permission has been granted by the Lieutenant Governor in Council for a lease of land pursuant to an application made under clause (1)(b), the person or corporation shall

- (a) within one year of receiving permission; and
 - (b) in every subsequent year, prior to December 31,
- file a statement disclosing information prescribed by subsection (3).

- (3) The statement required by subsection (2) shall disclose
- (a) the parcel number;
 - (b) the acreage leased; and
 - (c) the term of the lease or leases;
- for each parcel leased during the reporting period covered by the statement.

PLEASE SEE FORM 8, APPENDIX A - STATEMENT FOR REPORTING LAND LEASED IN PURSUANT TO SUBSECTION 5.3(2) OF THE PRINCE EDWARD ISLAND LANDS PROTECTION ACT

**FORM 8
APPENDIX A**

STATEMENT FOR REPORTING LAND LEASED IN
PURSUANT TO SUBSECTION 5.3(2) OF THE
PRINCE EDWARD ISLAND LANDS PROTECTION ACT

Report all land leased in during the past calendar year. Provide the following information for each parcel:

Name of Lessee:

LEASED LAND					
(1) Parcel #	(2) Location	(3) Acres	(4) Leased from	(5) Lease start date m/d/y	(6) Lease end date m/d/y

I hereby certify that this form is complete and that the information herein, and attached hereto, is true and correct in all respects for the reporting calendar year

..... (date)
Signature of applicant (in the case of a corporation, an authorized signing officer)

..... Title of Signatory
Name of Signatory (please print)

.....
.....
(Address) (Telephone) (Email address)

EXPLANATORY NOTES

SECTION 1 revokes 5 clauses in the provision that refer to forms in the provision that are being revoked. Specifically, the references pertain to Form 3, Form 4A, Form 4B, Form 5A and Form 5B, all of which are being revoked by this amendment.

SECTIONS 2, 3 and 5 revoke and replace Forms 1, 2 and 8 in the regulations that pertain to

- (1) an application by or on behalf of a non-resident pursuant to section 4 of the Act;
- (2) an application by or on behalf of a corporation pursuant to section 5 of the Act; and
- (3) an application by or on behalf of a non-resident or corporation pursuant to clause 5.3(1)(b) of the Act.

The changes to these forms are housekeeping in nature. The changes are the result of requests from Executive Council to the Commission for additional information on non-resident and corporate applications. The amendments to these forms reflect the changes in information required to streamline the application process.

SECTION 4 revokes Form 3, Form 4A, Form 4B, Form 5A and Form 5B in the regulations since they are no longer needed. These forms all pertain to section 6.1 of the Act which was put in place following the change in the method of calculating aggregate land ownership of any person or corporation in 1996. The change in the method of calculating aggregate land ownership for any person or corporation included land attributed to both the lessor and lessee [clause 1(3)(b) of the Act]. This change resulted in landowners exceeding the limits set out in section 2 of the Act which resulted in a process whereby an application could be made to obtain a permit to enter a divestiture process over a maximum of 9 years [clause 6.1(3)(c) of the Act]. Since the permits were only obtainable until June 1, 1996 [subsection 6.1(1) of the Act] and the 9 years have since elapsed, revocation of the forms pursuant to these expired permits is required.

SECTION 6 provides for the commencement of these regulations.

EC2009-648

**SOCIAL ASSISTANCE ACT
SOCIAL ASSISTANCE APPEAL BOARD
APPOINTMENTS**

Pursuant to section 5 of the *Social Assistance Act* R.S.P.E.I. 1988, Cap. S-4.3 Council made the following appointments:

NAME	TERM OF APPOINTMENT
Louise Comeau Wellington (vice Brenda Doyle, term expired)	26 November 2009 to 26 November 2012
Tracey MacEwen Kensington (vice Freda Woodside, term expired)	26 November 2009 to 26 November 2012
Linda MacInnis Summerside (vice Susan Loucks, term expired)	26 November 2009 to 26 November 2012

EXECUTIVE COUNCIL _____ 24 NOVEMBER 2009

Sandra Rafferty	26 November 2009
Coleman	to
(vice Karen Coughlin, term expired)	26 November 2012

Further, pursuant to subsection 5(2) of the Act, Council appointed Rudy Croken as chairperson of the Board (vice Susan Loucks) for the balance of his term as a member, and Clara Roche as vice-chairperson (vice Rudy Croken) for the balance of her term as a member.