

## EC2010-336

**AMUSEMENT DEVICES ACT  
REGULATIONS  
AMENDMENT**

Pursuant to section 20 of the *Amusement Devices Act* R.S.P.E.I. 1988, Cap. A-10.1, Council made the following regulations:

**1. Section 1 of the *Amusement Devices Act* Regulations (EC627/02) is amended**

(a) in clause (f), by the deletion of the words “CSA Standard Z267-M1983” and the substitution of the words “CSA Standard Z267-00”;

(b) in clause (j), by the deletion of the words “Community and Cultural Affairs” and the substitution of the words “Environment, Energy and Forestry”; and

(c) by the revocation of clause (r).

**2. Section 4 of the regulations is revoked and the following substituted:**

**4.** Notwithstanding section 3 of the Code, for the purposes of these regulations, the Code shall be applied with the following changes: Code application

(a) in clause 1.5(b) of the Code, the words “CAN3-Z98” are replaced with the words “the latest adopted edition of CAN/CSA-Z98 as adopted pursuant to the Prince Edward Island *Elevators and Lifts Act* R.S.P.E.I. 1988, Cap. E-5 and the *Elevators and Lifts Act* Regulations”;

(b) in clause 1.5(c) of the Code, the words “CSA Standard B-44” are replaced with the words “the latest adopted edition of the CSA Standard, CAN/CSA B-44 as adopted pursuant to the Prince Edward Island *Elevators and Lifts Act* and the *Elevators and Lifts Act* Regulations”;

(c) in clause 5.5.1 of the Code, the words “CSA Standard C22.1 Canadian Electrical Code Part 1” are replaced with the words “CSA Standard C22.1 Canadian Electrical Code Part 1 as adopted pursuant to the Prince Edward Island *Electrical Inspection Act* and the *Electrical Inspection Act* Regulations”.

**3. Subsection 24(1) of the regulations is revoked and the following substituted:**

**24.** (1) Notwithstanding clause 5.4.3 of the Code, for the purposes of these regulations, the following CSA Standards shall apply in respect of the welding of amusement devices: Welding of amusement devices

- (a) CSA Standard B51;
- (b) CSA Standard W59;
- (c) CSA Standard W47;
- (d) CSA Standard W47.2;
- (e) CSA Standard W47.1.

(1.1) Subject to subsection (2), the requirements of sections 25 and 26 shall apply in respect of the welding of amusement devices. Idem

**4. Section 25 of the regulations is amended**

(a) in subsection (1), by the deletion of the words “CSA Standard B51-M1986” and the substitution of the words “CSA Standard B51”;

(b) in subsection (2), by the deletion of the words “CSA Standard B51-M1986” and the substitution of the words “CSA Standard B51”;

(c) in subsection (3), by the deletion of the words “CSA Standard W59-1989” and the substitution of the words “CSA Standard W59”; and

**(d) in subsection (4),**

**(i) by the deletion of the words “CSA Standard W47.1-92” and the substitution of the words “CSA Standard W47.1”, and**

**(ii) by the deletion of the words “CSA Standard W47.2-M1987” and the substitution of the words “CSA Standard W47.2”.**

**5. Clause 26(b) of the regulations is amended by the deletion of the words “CSA Standard W47.1-92” and the substitution of the words “CSA Standard W47.1”.**

**6. Section 27 of the regulations is amended**

**(a) in subsection (1), by the deletion of the words “in accordance with the Act and these regulations” and the substitution of the words “in accordance with the Code, Appendix B of the Code, the Act and these regulations”; and**

**(b) in subsection (2), by the deletion of the words “in accordance with the Act and these regulations” and the substitution of the words “in accordance with the Code, Appendix B of the Code, the Act and these regulations”.**

**7. Sections 28 to 57 of the regulations are revoked.**

**8. Schedule A of the regulations is revoked and Schedule A as set out in the Schedule to these regulations is substituted.**

**9. These regulations come into force on July 3, 2010.**

**SCHEDULE****SCHEDULE A  
FEES**

The following fees are payable under the provisions of the *Amusement Devices Act* and these regulations:

1. Except as provided in this Schedule, the fee for the inspection of an amusement device is \$110 annually.
2. The fee for the inspection of
  - (a) a go-kart is \$110 annually for up to 10 go-karts plus \$6 annually for each additional go-kart;
  - (b) user-driven amusement devices is \$110 annually for up to 10 devices plus \$6 annually for each additional device; and
  - (c) dark houses or funhouses containing devices that physically move people is \$110 annually.
3. Where an inspection of an amusement device is carried out to check for compliance with a direction issued under sections 11 and 13 of these regulations, the fee is \$65 per hour if the device is found to be not in compliance with the direction.
4. The fee for an inspection made pursuant to section 14 of the Act is \$50 per hour plus travel expenses.
5. The fee for the transfer of a permit to a new owner is \$25.
6. For the purposes of section 4 of this Schedule, the rate of travel expenses payable shall be based on the rates in effect pursuant to the Collective Agreement between the province and the P.E.I. Union of Public Sector Employees for reimbursement for the use of private motor vehicles on Government business.

**EXPLANATORY NOTES**

**SECTION 1** amends section 1 of the regulations. The references to CSA Standards are updated; the proper name of the department is outlined to reflect Government’s reorganization in January, 2010, and a definition is revoked that is no longer relevant.

**SECTION 2** replaces section 4 of the regulations, which is the application section of the Safety Code for Amusement Rides (the “Code”). This provision dealing with the application of the Safety Code for Amusement Rides is updated.

**SECTIONS 3, 4 and 5** update the CSA Standard references in the provisions. The provisions pertain to sections 24, 25 and 26 of the regulations which outline the requirements for welding of amusement devices.

**SECTION 6** amends section 27 of the regulations which deals with the requirements on an owner and operator of a go-kart. The provision requires that the owner and operator of a go-kart must ensure that the design, construction, equipment, performance and operation of go-karts conform with the applicable provisions of the Safety Code, Appendix B of the Safety Code, the Act and the regulations.

**SECTION 7** revokes provisions in the regulations that are no longer necessary in respect of certain requirements pertaining to go-karts. The provisions pertaining to the physical requirements and operational standards for go-karts are revoked since such requirements and standards are provided for more comprehensively in the Safety Code and Appendix B of the Safety Code, rather than the regulations.

**SECTION 8** replaces Schedule A of the regulations, which sets out the fees payable under the Act and the regulations for the inspection of amusement devices, and for the transfer of permits for amusement devices.

**SECTION 9** provides for the commencement of these regulations.

### **EC2010-337**

#### **CIVIL SERVICE SUPERANNUATION ACT AND TEACHERS SUPERANNUATION ACT INVESTMENT POLICY**

Pursuant to subsection 5(4) of the *Civil Service Superannuation Act* R.S.P.E.I. 1988, Cap. C-9 and subsection 9(4) of the *Teachers Superannuation Act* R.S.P.E.I. 1988, Cap. T-1 Council approved the Statement of Investment Policies and Procedures dated December 2009 for pension plans sponsored by the Province of Prince Edward Island (the Civil Service Superannuation Plan, the Teachers Superannuation Plan and the pension plan for Members of the Legislative Assembly), a copy of which is attached to the file copy of this Order in the Office of the Clerk of the Executive Council.

Further, Council rescinded Order-in-Council EC2007-744 of 18 December 2007.

**EC2010-338**

CREDIT UNIONS ACT  
CREDIT UNION DEPOSIT INSURANCE CORPORATION  
BOARD OF DIRECTORS  
APPOINTMENT

Pursuant to clause 162(1)(b) of the *Credit Unions Act* R.S.P.E.I. 1988, Cap. C-29.1, Council made the following appointment:

NAME	TERM OF APPOINTMENT
Leonce Bernard Wellington (Peter Schurman, term expired)	24 July 2010 to 24 July 2013

**EC2010-339**

EXECUTIVE COUNCIL ACT  
ATTORNEY GENERAL  
AUTHORITY TO ENTER INTO AN AGREEMENT  
(COMPREHENSIVE AGREEMENT -  
SETTLEMENT OF RELEASED CLAIMS  
AND  
TOBACCO COMPLIANCE MEASURES PROTOCOL)  
WITH  
THE GOVERNMENTS OF CANADA, THE PROVINCES  
AND THE TERRITORIES  
AND  
JTI-MACDONALD CORP.

Pursuant to clauses 10(a), (b) and (c) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12, Council authorized the Attorney General to enter into an agreement with the Government of Canada, the Governments of the other Provinces and the Territories, and JTI-Macdonald Corp. to settle and finally resolve all released claims against the released entities and to set out terms of the Tobacco Compliance Measures Protocol, such as more particularly described in the agreement.

**EC2010-340**

EXECUTIVE COUNCIL ACT  
ATTORNEY GENERAL  
AUTHORITY TO ENTER INTO AN AGREEMENT  
(COMPREHENSIVE AGREEMENT -  
SETTLEMENT AGREEMENT AND  
TOBACCO COMPLIANCE MEASURES PROTOCOL)  
WITH  
THE GOVERNMENTS OF CANADA, THE PROVINCES  
AND THE TERRITORIES  
AND  
R.J. REYNOLDS TOBACCO COMPANY

Pursuant to clauses 10(a), (b) and (c) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12, Council authorized the Attorney General to enter into an agreement with the Government of Canada, the Governments of the other Provinces and the Territories, and R.J. Reynolds Tobacco Company to settle and finally resolve all released claims against the released entities and to set out terms

of the Tobacco Compliance Measures Protocol, such as more particularly described in the agreement.

**EC2010-341**

EXECUTIVE COUNCIL ACT  
ATTORNEY GENERAL  
AUTHORITY TO ENTER INTO AN AGREEMENT  
(FEDERAL/PROVINCIAL/TERRITORIAL AGREEMENT  
DISTRIBUTION OF TOBACCO SETTLEMENT FUNDS)  
WITH  
THE GOVERNMENTS OF CANADA, 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 Attorney General to enter into an agreement with the Government of Canada and the Governments of the other Provinces and the Territories to authorize, facilitate and provide for the distribution by Canada of funds received on behalf of Canada, the Provinces and the Territories from JTI-Macdonald Corp. and R.J.Reynolds Tobacco Company in settlement of civil claims for loss of applicable tobacco taxes and duties pursuant to the terms of the Comprehensive Agreements dated April 13, 2010; from JTI-Macdonald Corp. in payment of criminal fines pursuant to the *Excise Tax Act* R.S.C. 1985, c. E14, as amended, if so ordered; and from Northern Brands International Inc. in payment of criminal fines pursuant to the *Criminal Code of Canada* R.S.C. 1985, c. C46, as amended, if so ordered; and such as more particularly described in the agreement.

**EC2010-342**

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:

<b>NAME</b>	<b>TERM OF APPOINTMENT</b>
via subsection (1)	
Danny Murphy Stanhope (reappointed)	31 July 2010 to 31 July 2013
Jim Travers, Q.C. Charlottetown (reappointed)	31 July 2010 to 31 July 2013
via subsection (2)	
Richard Homburg Nova Scotia (reappointed)	31 July 2010 to 31 July 2013

Naomi Z. Levine Manitoba	31 July 2010 to 31 July 2013
Louis W. MacEachern Alberta (reappointed)	31 July 2010 to 31 July 2013
Dan Matheson Ontario	31 July 2010 to 31 July 2013
Claude Metras Quebec (reappointed)	31 July 2010 to 31 July 2013
Janis Sobey-Hames Nova Scotia (reappointed)	31 July 2010 to 31 July 2013
Jeffrey D. Symons New York	31 July 2010 to 31 July 2013

**EC2010-343**

FINANCIAL ADMINISTRATION ACT  
AND  
LONG-TERM CARE SUBSIDIZATION ACT  
ESTATE OF HELEN MACKINNON  
CANCELLATION OF DEBT

Pursuant to subsection 26(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 and as recommended by the Minister of Health and Wellness pursuant to clause 11(3)(c) of the *Long-Term Care Subsidization Act*, Council authorized cancellation of debt in the amount of one hundred and seventy-two thousand, five hundred and sixty dollars (\$172,560.00) owed by the Estate of Helen MacKinnon as follows:

<b>Outstanding Account for Cost of Subsidized Care</b>	<b>Partial Payment Approved</b>	<b>Balance Cancelled</b>
\$221,187.00	\$48,627.00	\$172,560.00

**EC2010-344****FISHERIES ACT  
REGULATIONS  
AMENDMENT**

Pursuant to section 9 of the *Fisheries Act* R.S.P.E.I. 1988, Cap. F-13.01, Council made the following regulations:

**1. Clause 8(6)(a) of the *Fisheries Act* Regulations (EC873/95) is revoked and the following substituted:**

- (a) the pedlar is
  - (i) the head of a core enterprise,
  - (ii) the spouse, son or daughter of the head of a core enterprise, or
  - (iii) the designated representative of the head of a core enterprise, as approved by the Minister, where the head of a core enterprise does not have a spouse, son or daughter; and

**2. These regulations come into force on July 3, 2010.**

**EXPLANATORY NOTES**

**SECTION 1** provides that a spouse, son or daughter of the head of a core enterprise or designated representative of the head of a core enterprise, as approved by the Minister, can be the pedlar referred to in this section of the regulations.

**SECTION 2** provides for the commencement of these regulations.

**EC2010-345****GIFT CARDS ACT  
DECLARATION RE**

Under authority of section 8 of the *Gift Cards Act* Stats. P.E.I. 2010, c. 30 Council ordered that a Proclamation do issue proclaiming the said "Gift Cards Act" to come into force effective 1 September 2010.

**EC2010-346****GIFT CARDS ACT  
GENERAL REGULATIONS**

Pursuant to section 7 of the *Gift Cards Act* R.S.P.E.I. 1988, Cap. G-4.1, Council made the following regulations:

1. In these regulations, "Act" means the *Gift Cards Act* R.S.P.E.I. 1988, Cap. G-4.1. Definition
2. The following gift cards may have expiry dates: Permitted expiry date
  - (a) those issued or sold for a charitable purpose;
  - (b) those issued or sold for a specific good or service;
  - (c) those issued for a marketing, advertising or promotional purpose.
3. (1) A person who issues or sells a gift card may charge fees on the following gift cards: Permitted fees
  - (a) those issued or sold for a charitable purpose;
  - (b) those issued for a marketing, advertising or promotional purpose.

(2) A person who issues or sells a gift card may charge a fee for replacing a lost or stolen card or to customize a card. Idem

4. A person who issues or sells a gift card shall provide the information prescribed in subsection 5(1) of the Act in writing and in a way that is likely to bring the information to the attention of the card holder. Form of disclosure

5. These regulations come into force on September 1, 2010. Commencement

#### EXPLANATORY NOTES

**SECTION 1** defines “Act” as the *Gift Cards Act* in these regulations.

**SECTION 2** sets out the gift cards that may have expiry dates.

**SECTION 3** provides that persons issuing gift cards for a charitable purpose or for a marketing, advertising or promotional purpose may charge fees.

**SECTION 4** states that a person who issues or sells a gift card must provide the information prescribed in the Act in writing and in a way that is likely to bring the information to the attention of the card holder.

**SECTION 5** provides for the commencement of these regulations.

#### EC2010-347

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ROBERT A. NUTBROWN  
(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 Robert A. Nutbrown of Brampton, Ontario to acquire an interest in 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 Nuhome Seniors Inc. of Charlottetown, Prince Edward Island.

#### EC2010-348

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
APPLICATION TO LEASE LAND  
ALLAN PRODUCE INC.  
(TO RESCIND)

Council, having under consideration Order-in-Council EC2001-204 of 3 April 2001, rescinded the said Order forthwith, thus rescinding permission for Allan Produce Inc. of West Covehead, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to four hundred (400) acres of land as part of its aggregate land holdings.



**EC2010-349**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
APPLICATION TO LEASE LAND  
ALLAN PRODUCE INC.  
(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 Allan Produce Inc. of West Covehead, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to eighty (80) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Allan Produce Inc. 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.

**EC2010-350**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ALLAN PRODUCE 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 Allan Produce Inc. of West Covehead, Prince Edward Island to acquire a land holding of approximately eighty-seven decimal eight eight (87.88) acres of land in Lot 33, Queens County, Province of Prince Edward Island, being acquired from John Pater of Charlottetown, Prince Edward Island.

**EC2010-351**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ARTHUR COUSINS & SONS 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 Arthur Cousins & Sons Inc. of Darnley, Prince Edward Island to acquire a land holding of approximately thirty-four decimal three nine (34.39) acres of land in Lot 18, Prince County, Province of Prince Edward Island, being acquired from Shore Lane Farms Ltd. of Kensington, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 633347, 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.

**EC2010-352**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 BC ACQUISITION CORPORATION  
 (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 BC Acquisition Corporation 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 Nuhome Seniors Inc. of Charlottetown, Prince Edward Island.

**EC2010-353**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 DUNROVIN 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 Dunrovin Inc. of Victoria, Prince Edward Island to acquire a land holding of approximately twenty-two decimal six (22.6) acres of land in Lot 29, Queens County, Province of Prince Edward Island, being acquired from Donald L. Wood of Victoria, Prince Edward Island.

**EC2010-354**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 L.M. MONTGOMERY LAND TRUST 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 L.M. Montgomery Land Trust Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately one hundred and thirty-four decimal four three (134.43) acres of land in Lot 21, Queens County, Province of Prince Edward Island, being acquired from Marian B. Ash, Claire Ash Wheeler and Kathryn Caddy, all of Devon, England 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.

**EC2010-355**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
RENTAL/BERRY 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 Rental/Berry Inc. of Alberry Plains, Prince Edward Island to acquire a land holding of approximately seventy (70) acres of land in Lot 66, Kings County, Province of Prince Edward Island, being acquired from Robert Ennis and April Hicken, both 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.

**EC2010-356**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
RENTAL/BERRY 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 Rental/Berry Inc. of Alberry Plains, Prince Edward Island to acquire a land holding of approximately thirty-three (33) acres of land in Lot 59, Queens County, Province of Prince Edward Island, being acquired from Greg Ryan and Tim Ryan, both 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.

**EC2010-357**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
RENTAL/BERRY 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 Rental/Berry Inc. of Alberry Plains, Prince Edward Island to acquire a land holding of approximately forty-seven (47) acres of land in Lot 62, Queens County, Province of Prince Edward Island, being acquired from Glen Ryan 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.

**EC2010-358**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
RENTAL/BERRY 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 Rental/Berry Inc. of Alberry Plains, Prince Edward Island to acquire a land holding of approximately one hundred and thirty-five (135) acres of land in Lot 37, Queens County, Province of Prince Edward Island, being acquired Ryan Wood Producers Ltd. of Montague, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 173351, 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.

**EC2010-359**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
RENTAL/BERRY 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 Rental/Berry Inc. of Alberry Plains, Prince Edward Island to acquire a land holding of approximately one hundred and eleven decimal seven eight (111.78) acres of land in Lots 37 and 52, Queens County, and in Lot 51, Kings County, Province of Prince Edward Island, being acquired from Greg Ryan 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.

**EC2010-360**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
RENTAL/BERRY 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 Rental/Berry Inc. of Alberry Plains, Prince Edward Island to acquire a land holding of approximately fifty (50) acres of land in Lot 60, Queens County, Province of Prince Edward Island, being acquired Greg Ryan of Montague, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 333997, 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.

**EC2010-361**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
RENTAL/BERRY 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 Rental/Berry Inc. of Alberry Plains, Prince Edward Island to acquire a land holding of approximately forty-six decimal nine two (46.92) acres of land in Lot 53, Kings County, Province of Prince Edward Island, being acquired from Tim Ryan 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.

**EC2010-362**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PROPERTY NO. 332072, LOT 62, 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 twelve decimal five (12.5) acres of land, being Provincial Property No. 332072 located in Lot 62, Queens County, Prince Edward Island and currently owned by Jean-Marie Allard of Regina, Saskatchewan.

Council noted that this amendment will enable subdivision of a parcel of land of approximately one (1) acre, 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 22 June 2010.

**EC2010-363**

LENDING AGENCY ACT  
TWIN SHORES CAMPING AREA (2010)  
AUTHORIZATION

Pursuant to subsection 2(2) of the *Lending Agency Act* Regulations (EC1999-406) Council authorized the P.E.I. Lending Agency to advance a capital loan to a maximum amount of \$2,650,000.00, subject to terms and conditions required by the Agency.

**EC2010-364**

**PROBATION ACT  
PROBATION ORDER FORM REGULATIONS**

Pursuant to section 5 of the *Probation Act* R.S.P.E.I. 1988, Cap. P-22, Council made the following regulations:

- 1. The Probation Order Form, as set out in the Schedule to these Form regulations, is prescribed for the purposes of section 9 of the *Probation Act*.
- 2. These regulations come into force on July 3, 2010.

**SCHEDULE**

**PROBATION ORDER FORM**

(Section 9 of the *Probation Act* R.S.P.E.I. 1988, Cap. P-22)

PROVINCE OF PRINCE EDWARD ISLAND

**WHEREAS** on the ..... day of ....., 20....., ..... (hereinafter called the offender):

- pleaded guilty to a charge contrary to section ..... of the ..... Act; or
- was tried and convicted for a charge contrary to section .....of the ..... Act.

**AND WHEREAS** on the ..... day of ....., 20....., the court adjudged that the sentence for the offender include a period of probation, the details of which are as contained herein;

**NOW THEREFORE** the said offender shall be placed on probation for a period of ....., and comply with the following conditions, namely that the said offender:

- 1. Keep the peace and be of good behaviour;
- 2. Appear before the court when required to do so by the court;
- 3. Notify the court or the probation officer in advance of any change of name or address, and promptly notify the court or the probation officer of any change of employment or occupation.

[Insert in a Schedule any additional conditions]

**DATED** this ..... day of ....., 20....., at ....., Prince Edward Island.

.....  
Clerk of the Court, Justice or  
Provincial Court Judge

I hereby acknowledge that I have read over the above probation order OR that the above probation order has been read to me. I have received a copy of the probation order and I understand its contents. I further acknowledge that the provisions of subsection 11(4) and section 12 of the *Probation Act* have been explained to me.

**DATED** this ..... day of ....., 20....., at ....., Prince Edward Island.

.....  
Witness

.....  
Offender

**EXPLANATORY NOTES**

**SECTION 1** provides that the Probation Order Form, which is prescribed under section 9 of the *Probation Act*, is set out in the Schedule to the regulations. The Probation Order Form outlines the details of a probation order which is made by a judge in respect of an individual being placed on probation. The Probation Order Form specifies the conditions of the probation order to which an offender must comply, and the period for which the probation order is to remain in force.

**SECTION 2** provides for the commencement of these regulations.

**EC2010-365****REVENUE TAX ACT  
REGULATIONS  
AMENDMENT**

Pursuant to subsections 57(1) and (2) of the *Revenue Tax Act* R.S.P.E.I. 1988, Cap. R-14, Council made the following regulations:

**1. Subsection 1(3.1) of the *Revenue Tax Act* Regulations (EC262/60) is amended**

(a) in clause (a), by the deletion of the word “and” after the semicolon;

(b) in clause (b), by the deletion of the period and the substitution of a semicolon; and

(c) by the addition of the following after clause (b):

(c) Health PEI.

**2. These regulations are deemed to have come into force on April 10, 2010.****EXPLANATORY NOTES**

**SECTION 1** amends the definition of the term “Crown in right of the province” to include Health PEI. As the *Revenue Tax Act* indicates that it does not apply to the Crown in right of the province, this amendment will exempt Health PEI from taxation under that Act.

**SECTION 2** provides for the commencement of these regulations.

**EC2010-366****ROADS ACT  
HIGHWAY ACCESS REGULATIONS  
AMENDMENT**

Pursuant to subsection 29(1) of the *Roads Act* R.S.P.E.I. 1988, Cap. R-15, Council made the following regulations:

**1. Schedule A-3, INFILLING AREAS, of the *Roads Act* Highway Access Regulations (EC580/95) is amended by the repeal of clause 1(3)(a) and the substitution of the following:**

(a) in the Community of Tignish, that segment of highway that lies between Route 153 and Route 158;

**2. These regulations come into force on July 3, 2010.****EXPLANATORY NOTES**

**SECTION 1** amends a provision of the Highway Access Regulations to extend for infilling the portion of arterial highway referenced in the provision.

**SECTION 2** provides for the coming into force of these regulations.

**EC2010-367**

**WORKERS COMPENSATION ACT  
WORKERS COMPENSATION BOARD  
OF PRINCE EDWARD ISLAND  
APPOINTMENTS**

Pursuant to section 19 of the *Workers Compensation Act* R.S.P.E.I. 1988, Cap. W-7, Council made the following appointments:

<b>NAME</b>	<b>TERM OF APPOINTMENT</b>
as employer representatives	
Stuart Affleck Lower Bedeque (reappointed)	28 February 2010 to 28 February 2012
Mike Annear Albany (reappointed)	28 February 2010 to 28 February 2013
Angus Houston Charlottetown (reappointed)	28 February 2010 to 28 February 2012
as worker representatives	
Tammy Chaisson Harper Road (reappointed)	28 February 2010 to 28 February 2013
Sandy MacKay Breadalbane (reappointed)	28 February 2010 to 28 February 2011
Charlene McInnis Charlottetown (reappointed)	28 February 2010 to 28 February 2011
Margaret Stewart Charlottetown (reappointed)	28 February 2010 to 28 February 2011

Further, pursuant to subsection 20(1) of the Act, Council appointed Mike Annear to be vice-chairperson of the Board for the duration of his term as a member.



**EC2010-368**

WORKERS COMPENSATION ACT  
 WORKERS COMPENSATION APPEAL TRIBUNAL  
 APPOINTMENT

Pursuant to subsection 56(7) of the *Workers Compensation Act* R.S.P.E.I. 1988, Cap. W-7.1, Council made the following appointment:

<b>NAME</b>	<b>TERM OF APPOINTMENT</b>
as worker representative	
Bruce Gallant	3 June 2010
O'Leary	at pleasure
(vice Jamie Matthews, resigned)	

**EC2010-369**

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 Robert Ghiz to be Acting Minister of Finance and Municipal Affairs commencing on the 5th day of July 2010, and continuing for the duration of the absence from the Province of Honourable Wes Sheridan.