

EC2010-435

EXECUTIVE COUNCIL ACT
 MINISTER OF HEALTH AND WELLNESS
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (AMENDMENT TO CANADA-PRINCE EDWARD ISLAND
 BILATERAL AGREEMENT TO ADVANCE SPORT PARTICIPATION)
 WITH
 THE GOVERNMENT 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 and Wellness to enter into an agreement with the Government of Canada, as represented by the Minister of Canadian Heritage, Status of Women and Official Languages, to amend and extend for fiscal year 2010-2011 terms and conditions of the Canada-Prince Edward Island Bilateral Agreement to Advance Sport Participation to support various projects advancing the goals of the Canadian Sport Policy in Prince Edward Island, such as more particularly described in the draft agreement.

EC2010-436

EXECUTIVE COUNCIL ACT
 MINISTER OF JUSTICE AND PUBLIC SAFETY
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (AMENDED FUNDING AGREEMENT
 DEVELOPMENT AND IMPLEMENTATION OF THE NEW
 MAINTENANCE ENFORCEMENT PROGRAM AUTOMATED SYSTEM)
 WITH
 THE GOVERNMENT 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 Justice and Public Safety to enter into an agreement with the Government of Canada, as represented by the Minister of Justice and Attorney General, to amend terms and conditions of funding pursuant to the Supporting Families Fund for the pilot project “Development and Implementation of the New Maintenance Enforcement Program Automated System” in Prince Edward Island for the period 30 November 2009 to 31 March 2011, such as more particularly described in the draft agreement.

EC2010-437

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 BELL ALIANT REGIONAL COMMUNICATIONS 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 Bell Aliant Regional Communications Inc. (successor to Aliant Telecom Inc. and Aliant Inc.) of Halifax, Nova Scotia to acquire, by lease, an interest in a land holding of approximately zero decimal zero two (0.02) acres of land in Lot 13, Prince County, Province of Prince Edward Island, being acquired from Ronald Maynard and Elizabeth Maynard, both of Tyne Valley, Prince Edward Island.

EC2010-438

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 DOYLE & FEEHAN CONSTRUCTION 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 Doyle & Feehan Construction Ltd. of York, Prince Edward Island to acquire a land holding of approximately seventy-five decimal zero four (75.04) acres of land in Lot 34, Queens County, Province of Prince Edward Island, being acquired from Cecil MacLauchlan of Charlottetown, Prince Edward Island.

EC2010-439

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 HAMPTON BEACH PROPERTY DEVELOPMENT & MANAGEMENT INC.
 (DENIAL)

Council, having under consideration an application (#C4976) for acquisition of a land holding under authority of section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap L-5, denied permission to Hampton Beach Property Development & Management Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately seventy-six (76) acres of land in Lot 29, Queens County, currently owned by Boyd MacDonald Produce Ltd. of Crapaud, Prince Edward Island.

EC2010-440

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MAC'S INVESTMENTS 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 Mac's Investments Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately three decimal eight (3.8) acres of land in Lot 17, Prince County, Province of Prince Edward Island, being acquired from Clark Enterprises Ltd. of Summerside, Prince Edward Island.

EC2010-441

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
OYSTER COVE FARMS LTD.
(TO RESCIND)

Council, having under consideration Order-in-Council EC2003-420 of 5 August 2003, rescinded the said Order forthwith, thus rescinding permission for Oyster Cove Farms Ltd. to acquire, by lease, an interest in a land holding or land holdings of up to one thousand six hundred and sixty-six (1,666) acres of land as part of the said corporation's aggregate land holdings.

EC2010-442

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
OYSTER COVE 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 Oyster Cove Farms Ltd. of Kensington, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to one thousand six hundred (1,600) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Oyster Cove 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.

EC2010-443

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
OYSTER COVE FARMS LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council granted permission to Oyster Cove Farms Ltd. of Kensington, Prince Edward Island to acquire a land holding of approximately seventy-two (72) acres of land in Lot 18, Prince County, Province of Prince Edward Island, being acquired from Sandra Champion of Kensington, 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.

EC2010-444

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
TAYLOR BUILT HOMES 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 Taylor Built Homes Inc. of York, Prince Edward Island to acquire a land holding of approximately zero decimal five seven (0.57) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Kevin MacDonald of York, Prince Edward Island.

EC2010-445

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 915801, LOT 37, 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 thirty-four decimal eight (34.8) acres of land, being Provincial Property No. 915801 located in Lot 37, Queens County, Prince Edward Island and currently owned by Thomas Collings of Mount Stewart, Prince Edward Island.

Council noted that this amendment will enable subdivision of a twelve decimal two eight (12.28) acre portion of the property into three lots, 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 17 August 2010.

EC2010-446

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 629535, LOT 18, PRINCE 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 one hundred and thirty decimal two eight (130.28) acres of land, being Provincial Property No. 629535 located in Lot 18, Prince County, Prince Edward Island and currently owned by Hunter Warehousing & Storage Ltd. of Indian River, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately five decimal two (5.2) acres, subject to the subdivided parcel being consolidated with the adjacent Provincial Property No. 86520. Further, Council determined that following subdivision, identification for non-development use shall be retained on the new parcel and the remaining land.

This Order-in-Council comes into force on 17 August 2010.

EC2010-447

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 519447, LOT 66, 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 made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately ninety-six (96) acres of land, being Provincial Property No. 519447 located in Lot 66, Kings County, Prince Edward Island and currently owned by J & S Visser Produce Inc. of Orwell Cove, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately zero decimal eight (0.8) acres, 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 17 August 2010.

EC2010-448

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 151902, 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 made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately ninety-six (96) acres of land, being Provincial Property No. 151902 located in Lot 56, Kings County, Prince Edward Island and currently owned by Thomas Maroldt and Carolyn Leonard Maroldt, both of Souris, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately one decimal five (1.5) acres, 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 17 August 2010.

EC2010-449

MENTAL HEALTH ACT
MENTAL HEALTH REVIEW BOARD
APPOINTMENT

Pursuant to section 27 of the *Mental Health Act* R.S.P.E.I. 1988, Cap. M-6.1 Council made the following appointment:

NAME	TERM OF APPOINTMENT
as alternate lay member, via subsection 27(4)	
Emmett Bradley	17 August 2010
Stratford	to
(vice Lona Murray, resigned)	17 August 2013

EC2010-450

AN ACT TO AMEND THE SCHOOL ACT
DECLARATION RE

Under authority of subsection 16(2) of *An Act to Amend the School Act* Stats. P.E.I. 2010, c. 44, Council ordered that a Proclamation do issue proclaiming sections 4, 6, 7, 8, 12, 14 and 15 of the said "An Act to Amend the School Act" to come into force effective 28 August 2010.

EC2010-451**SCHOOL ACT
CERTIFICATION AND STANDARDS BOARD REGULATIONS
AMENDMENT**

Pursuant to section 147 of the *School Act* R.S.P.E.I. 1988, Cap.S-2.1, Council made the following regulations:

1. Subsection 2(1) of the *School Act* Certification and Standards Board Regulations (EC430/97) is amended by the deletion of the words “, and non-teaching instructional licenses”.

2. The heading immediately before section 4 of the regulations and section 4 of the regulations are revoked and the following substituted:

Instructional Licenses

4. A person shall apply to the Minister for an instructional license in the manner and form required by the Minister. Instructional licenses

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

5. Where the Minister issues an instructional license to a person under section 3 of the Act, the Minister may, subject to the recommendations of the Board as approved or varied by the Minister under section 11 of the Act, Issuance of instructional licenses

- (a) assign a category to the instructional license;
- (b) assign a qualification level to the instructional license;
- (c) assign a restricted status to the instructional license where deemed appropriate by the Minister; and
- (d) assign conditions to the instructional license where deemed appropriate by the Minister.

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

6. The Minister may, on application by a teacher in the manner and form required by the Minister, assign a new qualification level to the teacher's instructional license, based on the teacher obtaining additional qualifications specified in the recommendations of the Board as approved or varied by the Minister under section 11 of the Act. Upgrades

5. Section 7 of the regulations is revoked and the following substituted:

7. Subject to section 5, where the Minister issues an instructional license to a person under section 3 of the Act, the instructional license is permanent, and remains in force unless suspended or revoked by the Minister pursuant to the Act. Instructional license

6. Sections 8 through 14 of the regulations and the headings immediately before sections 9 and 14 are revoked and the following substituted:

8. A person who holds a valid interim instructional license immediately before the coming into force of this section shall be deemed, as of the date of the coming into force of this section, to hold an instructional license, of the same category and qualification level as the license held immediately before the coming into force of this section, that is permanent and that remains in force unless suspended or revoked by the Minister pursuant to the Act. Transitional

9. (1) The Minister may, on application by a teacher in the manner and form required by the Minister, issue a Statement of Professional Standing to a teacher. Statement of Professional Standing

(2) The Statement of Professional Standing referred to in subsection (1) shall indicate the status, at the time of issuance of the Statement of Professional Standing, of a teacher’s instructional license. Indication of status

7. Section 15 of the regulations is revoked and the following substituted:

15. (1) A person shall apply to the Minister for an authorization to substitute for a teacher in the manner and form required by the Minister. Substitute teacher authorization application

(2) Where the Minister issues, under section 4 of the Act, an authorization to substitute for a teacher to a person who holds a valid instructional license, the authorization to substitute is permanent, and remains in force unless the authorization to substitute is suspended or revoked by the Minister pursuant to the Act, or, unless the person’s instructional license is suspended or revoked by the Minister pursuant to the Act. Substitute teacher authorization with instructional license

(3) Where the Minister issues, under section 4 of the Act, an authorization to substitute for a teacher to a person who does not hold a valid instructional license, the authorization to substitute expires on June 30 of the school year in which it was issued. Substitute teacher authorization expiry

8. (1) Subsections 16(1) and (2) of the regulations are revoked and the following substituted:

16. (1) Upon the written request of an applicant, the Board shall hold a hearing to review the refusal of the Minister to assign a new qualification level to the applicant’s instructional license under section 6. Hearing respecting refusal to assign a new qualification level

(2) A refusal of the Minister, for the purposes of subsection (1), includes the assignment by the Minister of a qualification level lower than that which had been applied for by the applicant. Refusal includes assignment of a lower level

(2) Subsection 16(3) of the regulations is amended by the deletion of the words “of the Registrar to issue a license or authorization” and the substitution of the words “of the Minister to assign a new qualification level”.

9. The regulations are amended by the addition of the following after section 19:

20. (1) The following fees are prescribed and must be paid for services and documents under the Act and the regulations: Fees

(a) For the review of an application for an instructional license by an applicant who received his or her teacher education within Canada, the fee is.....	\$100
(b) For the review of an application for an instructional license by an applicant who received his or her teacher education outside Canada, the fee is.....	125
(c) For the review of an application for an authorization to substitute for a teacher by a person holding a valid instructional license, the fee is.....	50
(d) For the review of an application for an authorization to substitute for a teacher by a person who does not hold a valid instructional license, the annual fee is.....	50
(e) For the review of an application for the assignment of a new qualification level of instructional license based on the teacher obtaining additional qualifications, the fee is	50
(f) For an evaluation of qualifications related to a condition imposed on a license, the fee is.....	25
(g) For the review of an application for a Statement of Professional Standing, the fee is.....	25
(h) For a replacement document for any of the above, the fee is.....	10

(2) The fees prescribed under subsection (1) are payable to the Minister of Finance and Municipal Affairs and are to be paid to the Registrar. Payment of fees

10. These regulations come into force on August 28, 2010.

EXPLANATORY NOTES

SECTION 1 removes the words “non-teaching instructional licenses” from the regulations as these types of licenses are no longer needed under the regulations.

SECTION 2 repeals a section of the regulations that refers to language no longer used relating to instructional licenses and provides that a person shall apply to the Minister for an instructional license in the manner and form required by the Minister.

SECTION 3 provides the administrative functions that a Minister may perform in relation to the issuance of an instructional license, subject to the recommendations of the Certification and Standards Board as approved or varied by the Minister under section 11 of the Act.

SECTION 4 revokes section 6 of the regulations as it provides for a type of license that is no longer used, and substitutes a new regulation at section 6 providing for the Minister’s ability to assign new qualification levels for a teacher’s instructional license based on the teacher obtaining additional qualifications.

SECTION 5 provides that instructional licenses issued under the Act are permanent and remain in force unless suspended or revoked by the Minister under the Act.

SECTION 6 revokes sections 8 through 14 of the regulations as they provide for types of licenses that are no longer used or cover subjects already addressed elsewhere in the regulations. The section also adds in two new sections. One section provides a transitional provision that deems the holder of an interim instructional license before the regulation comes into force is deemed to hold a permanent instructional license of the same category and qualification level under this regulation. The other section provides for the Minister to issue a Statement of Professional Standing indicating the status of a teacher’s instructional license to a teacher.

SECTION 7 provides that a person shall apply to the Minister for an authorization to substitute for a teacher in the manner and form required by the Minister and outlines the term and expiry of those authorizations.

SECTION 8 replaces subsections of the regulations as the current subsections refer to certain decisions of the Registrar, which are not included in these regulations. The regulations now refer to the review of a decision of the Minister to assign new qualification levels to teachers’ licenses, and the sections are amended to reflect the change.

SECTION 9 prescribes fees for services and documents provided under the Act and the regulations and outlines to whom they are payable and to be paid.

SECTION 10 provides for the commencement of these regulations.

EC2010-452

SCHOOL ACT PRIVATE SCHOOLS AND HOME EDUCATION REGULATIONS AMENDMENT

Pursuant to section 147 of the *School Act* R.S.P.E.I. 1988, Cap. S-2.1, Council made the following regulations:

1. Clause 3(2)(b) of the *School Act* Private Schools and Home Education Regulations (EC534/95) is amended by the addition of the words “or varied” after the word “approved”.

2. The regulations are amended by the addition of the following after section 3:

3.1 (1) A private school shall ensure that, when enrolling a child in school, a child who is five years of age and is eligible to be enrolled in school in accordance with the Act and the regulations, shall be enrolled in kindergarten in the private school. Enrolment of students – five years

(2) A private school shall ensure that, when enrolling a child in school, a child who is six years of age and is of compulsory school age in accordance with the Act and the regulations, shall be Enrolment of students – six years

(a) enrolled in kindergarten; or

(b) enrolled in grade one if the child has completed a kindergarten program approved by the Minister.

(3) For the purposes of clause (2)(b), a kindergarten program is approved by the Minister if an inspector appointed by the Minister under section 135 of the Act determines that the kindergarten program was offered by a school board or is equivalent to a kindergarten program offered by a school board. Approved kindergarten program

(4) Subsections (1) and (2) are standards to be maintained by a private school for the purposes of section 134 of the Act. Standards

3. These regulations come into force on August 28, 2010.

EXPLANATORY NOTES

SECTION 1 adds wording to the regulations to make the wording consistent with recent amendments to the *School Act*.

SECTION 2 adds a provision to the regulations to reference the requirements regarding the enrolment of students in private schools and the requirement of a kindergarten program.

SECTION 3 provides for the commencement of these regulations.

EC2010-453

SCHOOL ACT STUDENT TRANSPORTATION REGULATIONS AMENDMENT

Pursuant to section 147 of the *School Act* R.S.P.E.I. 1988, Cap. S-2.1, Council made the following regulations:

1. Section 8 of the *School Act* Student Transportation Regulations (EC485/98) is amended

(a) by the revocation of clause (a); and

(b) by renumbering clauses (b) and (c) as clauses (a) and (b) respectively.

2. The heading immediately before section 36 of the regulations and section 36 of the regulations are revoked.

3. Schedule B of the regulations is revoked.

4. These regulations come into force on August 28, 2010.

EXPLANATORY NOTES

SECTION 1 removes a provision in the regulations that requires school bus drivers to be under 60 years of age when they are first hired by a school board, and renumbers the remaining provisions in that section of the regulations.

SECTION 2 removes a provision of the regulations that allows school boards to permit kindergarten students to travel on a school bus if certain conditions are met, as kindergarten is now part of the public school system and this provision is no longer needed.

SECTION 3 removes a schedule in the regulations, which schedule contains the Kindergarten Transportation Agreement, as that agreement is not needed as kindergarten is now part of the public school system.

SECTION 4 provides for the coming into force of these regulations.

EC2010-454

**SCHOOL ACT
STUDENTS AND PARENTS REGULATIONS
AMENDMENT**

Pursuant to section 147 of the *School Act* R.S.P.E.I. 1988, Cap. S-2.1, Council made the following regulations:

1. (1) Subsection 1(1) of the *School Act* Students and Parents Regulations (EC69/96) is revoked and the following substituted:

1. (1) A person who reaches the age of five years on or before December 31 in a school year may be enrolled in a school in September of that school year. Age five for enrolment purposes

(2) Subsections 1(2) and (2.1) of the regulations are amended in the words preceding clause (a) by the deletion of the word “six” and the substitution of the word “five”.

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

2. A person who reaches the age of six years on or before December 31 in a school year shall be enrolled in a school in September of that school year. Child, age of six

3. Clause 3(1)(c) of the regulations is amended by the deletion of the words “grades 1 to” and the substitution of the words “kindergarten through grade”.

4. Clauses 4(2)(a) and (b) of the regulations are amended by the deletion of the words “ages of 6” and the substitution of the words “ages of 5”.

5. These regulations come into force on August 28, 2010.

EXPLANATORY NOTES

SECTION 1 changes the initial permissible school age from six to five for both public and private schools and provides the eligible age of five years for enrolment purposes.

SECTION 2 changes the initial mandatory school age from seven to six and provides the eligible age of six years for enrolment purposes.

SECTION 3 adds kindergarten to the school levels for free school privileges.

SECTION 4 amends a provision of the regulations to recognize the initial school age for free school privileges is five years.

SECTION 5 provides for the coming into force of these regulations.

EC2010-455

**SUMMARY PROCEEDINGS ACT
TICKET REGULATIONS
AMENDMENT**

Pursuant to subsection 10(3) of the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9, Council made the following regulations:

1. Part 41 of Schedule 2 of the *Summary Proceedings Act* Ticket Regulations (EC58/08) is amended

(a) by the addition of the following after item 5:

- 5.1 Failing to provide required information to the Minister..... 12(3) 1,000 (individual)
(a)-(d) 5,000 (corporation)

(b) in items 14 and 15, by the deletion of the words “Domestic Pesticide Vendor Business Licence” and the substitution of the words “Domestic Pesticide Vendor Business Licence or Non-domestic Pesticide Vendor Business Licence”;

(c) by the revocation of item 16 and the substitution of the following:

- 16 Holder of Domestic Pesticide Vendor Business Licence or Non-domestic Pesticide Vendor Business Licence failing to store a controlled purchase domestic pesticide in required manner..... 20.1(2) 1,000 (individual)
(a)-(d) 5,000 (corporation)

(d) by the addition of the following after item 81:

- 82 Use of a pesticide containing any form of the chemical 2,4-Dichlorophenoxyacetic (2,4-D) on a commercial golf course within 25 metres of a watercourse boundary or wetland boundary..... 40.1 1,000 (individual)
(1)(a) 5,000 (corporation)
- 83 Use of a pesticide containing any form of the chemical 2,4-D on a commercial golf course within 25 metres of the boundary of an adjacent property used for commercial, industrial, residential or institutional purposes..... 40.1 1,000 (individual)
(1)(b) 5,000 (corporation)
- 84 Application of pesticide containing any form of the chemical 2,4-D on areas other than the fairways and other permitted areas of a commercial golf course..... 40.1 1,000 (individual)
(2)(a) 5,000 (corporation)
- 85 Application of pesticide containing any form of the chemical 2,4-D on areas other than the tee-off areas and other permitted areas of a commercial golf course..... 40.1 1,000 (individual)
(2)(b) 5,000 (corporation)
- 86 Application of pesticide containing any form of the chemical 2,4-D on areas other than the greens and other permitted areas of a commercial golf course..... 40.1 1,000 (individual)
(2)(c) 5,000 (corporation)
- 87 Sale, supply or use of any domestic pesticide for the control of lawn pests that is a fertilizer-pesticide blended product 1,000 (individual)
40.2(a) 5,000 (corporation)
- 88 Sale, supply or use of any domestic pesticide for the control of lawn pests that is a granular spreadable pesticide..... 1,000 (individual)
40.2(b) 5,000 (corporation)
- 89 Sale, supply or use of any domestic pesticide for the control of lawn pests that is a hose-end pesticide..... 1,000 (individual)
40.2(c) 5,000 (corporation)
- 90 Sale, supply or use of any domestic pesticide for the control of lawn pests that is a pesticide concentrate..... 1,000 (individual)
40.2(d) 5,000 (corporation)
- 91 Sale, supply or use of any domestic pesticide for the control of lawn pests that contains the chemical 2,4-D..... 1,000 (individual)
40.2(e) 5,000 (corporation)

2. These regulations come into force on August 28, 2010.

EXPLANATORY NOTES

SECTION 1 updates the ticketable offences outlined in the *Pesticides Control Act* Regulations.

SECTION 2 provides for the commencement of these regulations.

EC2010-456**UNIVERSITY ACT
TRANSFER OF REAL PROPERTY
APPROVED**

Council, having under consideration the recommendation of the Minister of Innovation and Advanced Learning, and pursuant to clause 14(1)(i) of the *University Act*, R.S.P.E.I. 1988, Cap. U-4, approved the transfer by the University of Prince Edward Island to the City of Charlottetown of approximately two thousand, four hundred and thirty-six (2,436) square meters of land, being a portion of Provincial Property No. 688838 which is to be consolidated with the adjacent Belvedere Avenue right-of-way at Charlottetown, Queens County, for construction of a traffic roundabout.

EC2010-457**WILDLIFE CONSERVATION ACT
FUR HARVESTING REGULATIONS
AMENDMENT**

Pursuant to section 28 of the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1, Council made the following regulations:

1. Subsection 2(5) of the *Wildlife Conservation Act Fur Harvesting Regulations* (EC663/04) is amended by the deletion of the words “clearly stamped” and the substitution of the words “clearly identified”.

2. Subsection 4(3) of the regulations is amended by the deletion of the words “Subsections (1) and (2) do not” and the substitution of the words “Subsection (1) does not”.

3. (1) Clause 5(2)(b) of the regulations is amended by the deletion of the words “subsections (3) to (5)” and the substitution of the words “subsections (3) and (4)”.

(2) Subsections 5(3) to (5) of the regulations are revoked and the following substituted:

(3) A dog-proof enclosure set using a body-gripping trap with a jaw spread 17.8 cm by 17.8 cm (7 inches by 7 inches) or larger shall have Standards for dog-proof enclosure

(a) an opening not greater than 17.8 cm by 17.8 cm (7 inches by 7 inches) with the trap trigger set back at least 17.8 cm (7 inches) from the opening; or

(b) an opening not greater than 20.3 cm (8 inches) in height and not greater than 25.4 cm (10 inches) in width with the trap trigger set back at least 25.4 cm (10 inches) from the opening.

(4) A dog-proof enclosure with an opening larger than 20.3 cm (8 inches) in height and greater than 25.4 cm (10 inches) in width shall be placed so that no part of the opening is more than 17.8 cm (7 inches) off the ground. Idem

4. Clause 9(1)(c) of the regulations is amended by the deletion of the words “traps set in or over water” and the substitution of the words “traps set in water”.

5. Schedule C of the regulations is revoked and Schedule C as set out in the Schedule to these regulations is substituted.

6. These regulations come into force on August 28, 2010.

**SCHEDULE
SCHEDULE C**

List of Approved Body-Gripping Traps (Certified under the Canadian Trap Certification Program and Approved for use as Killing Traps for Beaver, Muskrat and Raccoon in Prince Edward Island)

Beaver	
Traps approved for use underwater and on land:	
Bélisle Classic 330	Rudy 280
Bélisle Super X 280	Rudy 330
Bélisle Super X 330	Sauvageau 1000-11F
B.M.I. 280 Body Gripper	Sauvageau 2001-8
B.M.I. 330 Body Gripper	Sauvageau 2001-11
Bridger 330	Sauvageau 2001-12
Duke 330	Species-Specific 330 Dislocator Half Magnum
LDL C280	Species-Specific 440 Dislocator Half Magnum
LDL C330 Magnum	Woodstream Oneida Victor Conibear 280
LDL C330	Woodstream Oneida Victor Conibear 330
LDL C330 Magnum	
Raccoon	
Traps approved for use on land:	
Bélisle Classic 220	LDL C 220 Magnum
Bélisle Super X 160	LDL C 280 Magnum
Bélisle Super X 220	Rudy 160
Bélisle Super X 280	Rudy 160 Plus
B.M.I. 160 Body Gripper	Rudy 220
B.M.I. 220 Body Gripper	Rudy 220 Plus
B.M.I. 280 Body Gripper	Sauvageau 2001-6
B.M.I. 280 Magnum Body Gripper	Sauvageau 2001-7
Bridger 160	Sauvageau 2001-8
Bridger 220	Species-Specific 220 Dislocator Half Magnum
Duke 160	Woodstream Oneida Victor Conibear 160
Duke 220	Woodstream Oneida Victor Conibear 220
LDL C 160	Woodstream Oneida Victor Northwoods 155
LDL C 220	
Muskrat	
Traps approved for use on land:	
Bélisle Super X 120	Rudy 120
B.M.I. 120	Rudy 110
B.M.I. 120 Magnum	Rudy 120 Magnum
B.M.I. 126 Magnum	Sauvageau 2001-5
Bridger 120	Sauvageau C120 Magnum
Duke 120	Sauvageau C120 "Reverse Bend"
Koro Muskrat	Triple M
LDL B120 Magnum	Woodstream Oneida Victor Conibear 110
Ouell 4-11-180	Woodstream Oneida Victor Conibear 120

EXPLANATORY NOTES

SECTION 1 amends the offence provision dealing with the setting of traps or snares for fur-bearing animals. The amendment requires every trap or snare to be clearly identified with a person's permanent trapper registration number.

SECTION 2 amends the exemption provision in respect of snares set under water during the open season for beaver. The amendment provides that the prohibition against any snare constructed of wire having a gauge larger than single strand brass wire of 20 gauge except during the open season for snaring red fox or coyote does not apply to the setting of snares under water during the open season for beaver.

SECTION 3 amends the provision to coincide with other amendments being effected by these regulations. The provision dealing with the standards for dog-proof enclosures is amended to outline the size of enclosures that are authorized for use.

SECTION 4 amends an offence provision to provide that no person shall set a trap for, or attempt to trap, racoon in places frequented by mink or muskrat by the use of traps set in water, except during the open season for mink or muskrat.

SECTION 5 amends the Schedule to reflect the most recent trap certification list pertaining to the list of approved body-gripping traps approved for use as killing traps for beaver, muskrat and racoon in the province.

SECTION 6 provides for the commencement of these regulations.

EC2010-458

**WILDLIFE CONSERVATION ACT
HUNTING AND TRAPPING SEASONS REGULATIONS
AMENDMENT**

Pursuant to section 28 of the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1, Council made the following regulations:

1. Schedules I and II of the *Wildlife Conservation Act* Hunting and Trapping Seasons Regulations (EC330/99) are revoked and the following substituted:

**SCHEDULE I
HUNTING SEASONS AND LIMITS**

Game	Open Season	Daily	Possession
Pheasant	No open season	-	-
Ruffed Grouse	September 27 - December 31	3	6
Hungarian (Grey) Partridge	October 18 - November 13*	3	6
Snowshoe Hare*** (Rabbit)	October 1 - February 28	5	-
Fox	November 1 - January 31	-	-
Raccoon	October 15 - January 31	-	-
Coyote	October 1 - March 31**	-	-
Red Squirrel	No closed season	-	-

NOTE:

* There will be no open season for Hungarian (Grey) Partridge in Lots 1-10 inclusive, and lots 43-47 inclusive, in 2010/2011.

** Hunting with hounds is permitted from October 1 - February 28. The running of hounds for training or any other purpose will not be permitted from March 1 - September 30, except by permit.

*** A Snowshoe Hare Snaring License is required to snare snowshoe hare.

**SCHEDULE II
TRAPPING SEASONS**

Furbearing Animals	Open Season
Beaver	8:00 a.m., October 31 - March 31*
Mink	8:00 a.m., October 31 - February 28*
Muskrat	8:00 a.m., October 31 - February 28*
Weasel	8:00 a.m., October 31 - February 28*
Fox (snaring & trapping)	November 15 - January 31
Fox (modified foothold only) **	November 1 - November 14
Raccoon	October 15 - March 31
Coyote (snaring & trapping)	November 15 - January 31
Coyote (modified foothold only) **	November 1 - November 14
	February 1 - February 28
Red Squirrel	No closed season
Skunk	No closed season

NOTE:

* During the months of February and March, trap sets for beaver, muskrat and mink are restricted to those set in or over water. Weasel traps are restricted to Victor rat traps.

** A "modified foothold trap" is a foothold trap that has been altered to improve the humaneness of the trap by laminating the jaws, off-setting the jaws or padding the jaws.

2. These regulations come into force on August 28, 2010.

EXPLANATORY NOTES

SECTION 1 amends the Schedules to the regulations that outline hunting seasons and limits and trapping seasons for game and furbearing animals in the province.

SECTION 2 provides for the commencement of these regulations.