

EC2011-32

ENVIRONMENTAL PROTECTION ACT
 ENVIRONMENTAL ADVISORY COUNCIL
 APPOINTMENT

Pursuant to section 4 of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9 Council made the following appointment:

NAME	TERM OF APPOINTMENT
Bruce MacIsaac Charlottetown	25 January 2011 to 25 January 2014

EC2011-33

EXECUTIVE COUNCIL ACT
 MINISTER OF HEALTH AND WELLNESS
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (2009-2011 CANADA-PRINCE EDWARD ISLAND
 BILATERAL AGREEMENT
 TO ADVANCE ABORIGINAL 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 and Official Languages, to amend terms and conditions of the 2009-2010 Bilateral Agreement to Advance Aboriginal Sport Participation to extend, for the period April 1, 2010 to March 31, 2011, First Nation sport and recreation programming in Prince Edward Island, such as more particularly described in the draft agreement.

EC2011-34

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY CAPITAL EXPENDITURE
FOR FISCAL YEAR 2010-11)
DEPARTMENT OF TRANSPORTATION
AND INFRASTRUCTURE RENEWAL

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund (Capital) for the Department of Transportation and Public Works as follows:

Account Class	Account Name	Amount
	Land	
0403-05002	Land Purchases	<u>\$2,000,000.00</u>

EC2011-35

HOLLAND COLLEGE ACT
HOLLAND COLLEGE BOARD OF GOVERNORS
APPOINTMENTS

Pursuant to subsection 6(1) of the *Holland College Act* R.S.P.E.I. 1988, Cap. H-6 Council made the following appointments:

NAME	TERM OF APPOINTMENT
via clause (d)	
Kent Avery Charlottetown (vice Kathy McDonald, resigned)	25 January 2011 to 25 January 2014
via clause (e)	
Stanley MacPherson Charlottetown (reappointed)	29 January 2011 to 29 January 2014

EC2011-36

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
CHARLOTTETOWN AREA DEVELOPMENT CORPORATION
AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to advance a term loan in the amount of two million, six hundred and fifty thousand dollars (\$2,650,000.00) to the Charlottetown Area Development Corporation for construction of the Bioscience Manufacturing Centre, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2011-37

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 101414 P.E.I. INC.
 (APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to 101414 P.E.I. Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately two decimal zero eight (2.08) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from 100194 P.E.I. Inc., mortgagee in possession, of Summerside, Prince Edward Island.

EC2011-38

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ATLANTIC ROASTED PRODUCTS 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 Atlantic Roasted Products Inc. of Montague, Prince Edward Island to acquire a land holding of approximately one hundred and fifty-three decimal nine (153.9) acres of land in Lots 51 and 52, Kings County, Province of Prince Edward Island, being acquired from Anthony Nabuurs and Anna Nabuurs, both of Montague, Prince Edward Island.

Further, Council noted that part of the said land holding, being Provincial Property No. 476580, 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.

EC2011-39

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 MAYPOINT HOLDINGS 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 Maypoint Holdings Ltd. of Charlottetown, Prince Edward Island to acquire a land holding of approximately ninety-one decimal four six (91.46) acres of land in Lot 31, Queens County, Province of Prince Edward Island, being acquired from MacLennan Farms Ltd. of Charlottetown, 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.

EC2011-40

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MONAGHAN 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 Monaghan Farms Ltd. of Graham's Road, Prince Edward Island to acquire a land holding of approximately zero decimal zero two (0.02) acres of land in Lot 25, Prince County, Province of Prince Edward Island, being acquired from Robert Irwin and Kathie Irwin, both of Kensington, Prince Edward Island PROVIDED THAT the said real property is consolidated with the adjacent Provincial Property No. 81414 and PROVIDED THAT the consolidated parcel is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2011-41

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
NATURE CONSERVANCY OF CANADA (PEI) 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 the Nature Conservancy of Canada (PEI) Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately one hundred and eighty-two (182) acres of land in Lots 11 and 12, Prince County, Province of Prince Edward Island, being acquired from Gladys Hayman 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.

EC2011-42

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
NATURE CONSERVANCY OF CANADA (PEI) 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 Nature Conservancy of Canada (PEI) Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately fifty-four decimal six (54.6) acres of land in Lot 11, Prince County, Province of Prince Edward Island, being acquired from Robert Lowell Henderson of Ellerslie, 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.

EC2011-43

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
O'MEARA'S HEAVY EQUIPMENT 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 O'Meara's Heavy Equipment Ltd. of Alberton, Prince Edward Island to acquire a land holding of approximately two decimal zero two (2.02) acres of land in Lot 17, Prince County, Province of Prince Edward Island, being acquired from Reginald Gaudet and Ida Gaudet, both of St. Louis, Prince Edward Island.

EC2011-44

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
T.S. MAGNUM 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 T.S. Magnum Ltd. of Charlottetown, Prince Edward Island to acquire a land holding of approximately one decimal zero four (1.04) acres of land in Lot 48, Queens County, Province of Prince Edward Island, being acquired from the Stratford Business Park Corporation Inc. of Stratford, Prince Edward Island.

EC2011-45

LIQUOR CONTROL ACT
PRINCE EDWARD ISLAND LIQUOR CONTROL COMMISSION
APPOINTMENT
(TO RESCIND)

Council, having under consideration Order-in-Council EC2009-549 of October 6, 2009, amended the said Order by rescinding the appointment of Chris Higgins as a member of the Prince Edward Island Liquor Control Commission, effective January 25, 2011.

EC2011-46

SOCIAL ASSISTANCE ACT
SOCIAL ASSISTANCE APPEAL BOARD
APPOINTMENT

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

NAME	TERM OF APPOINTMENT
James Hughes Summerside (vice Tracey MacEwen, resigned)	25 January 2011 to 25 January 2014

EC2011-47

**TEACHERS' SUPERANNUATION ACT
REGULATIONS
AMENDMENT**

Pursuant to section 33 of the *Teachers' Superannuation Act* R.S.P.E.I. 1988, Cap. T-1, Council made the following regulations:

1. Sections 1 and 2 of the *Teachers' Superannuation Act* Regulations (EC206/77) are revoked and the following substituted:

1. In these regulations, "Act" means the *Teachers' Superannuation Act* Act, defined R.S.P.E.I. 1988, Cap. T-1.

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

3. (1) In computing the pension of a member or vested former member who is superannuated under clause 16(1)(d) of the Act, the reduction referred to in section 22 of the Act shall apply upon commencement of the pension. Computation of pension

(2) If the member or vested former member referred to in subsection (1) can provide proof satisfactory to the Commission verifying that the member or vested former member is not receiving Canada Pension Plan disability benefits, the reduction referred to in section 22 of the Act shall only apply when the person receiving the pension attains age 65. Idem

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

4. For the purposes of section 21 of the Act, the annual rate of increase on superannuation allowances payable under the Act shall be based on the previous calendar year ending December 31st of the year and the increase shall be effective from the first day of July in the following year. Cost of living increase

4. (1) Subsection 5(1) of the regulations is amended

(a) by the deletion of the words "Subject to section 17 of the Act, members" and the substitution of the words "Members"; and

(b) by the deletion of the words "with interest being charged for the period or periods of time for which the contributions had been absent from the Fund" and the substitution of the words "in accordance with subsection 28(2) of the Act".

(2) Subsections 5(2) and (3) of the regulations are revoked.

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

7. (1) The following types of unpaid leaves are eligible for determining the salary deemed to be paid to a member under subsections 18(1.01) and (1.02) of the Act: Deemed salary

(a) unpaid leaves granted for the purpose of taking employment with the Department of Education and Early Childhood Development;

(b) unpaid leaves granted for the purpose of seeking or holding public office as outlined in the Memorandum of Agreement between the Education Negotiating Agency and the Prince Edward Island Teachers' Federation.

(2) The total amount of leave must be more than one year in duration to be considered eligible for consideration under this section. Duration of leave

8. Subject to section 11 of the Act, a member who wishes to purchase service under the Act must have made contributions to the Fund for at least 21 consecutive working days immediately prior to the purchase date. Minimum eligibility period prior to purchasing service

9. A member, on sabbatical leave approved pursuant to the *School Act* Sabbatical leave R.S.P.E.I. 1988, Cap. S-2.1, may elect to make contributions to the Fund on the salary the member would have received if the member had continued to work at the full-time equivalent for the member's teaching position.

6. These regulations come into force on February 5, 2011.

EXPLANATORY NOTES

SECTION 1 revokes two provisions of the regulations that are outdated and inconsistent with the Act and provides a definition for the *Teachers' Superannuation Act*.

SECTION 2 revokes provisions of the regulations that have become redundant as the concepts they deal with now are provided for in the Act. The section also clarifies when a reduction in pension required by the Act is to apply.

SECTION 3 amends the regulations to provide wording consistency with the Act by requiring a December 31st end date to be used for yearly calculation purposes and to establish that the annual effective date of indexation is July 1st.

SECTION 4 clarifies that a member who previously took a refund of contributions and becomes re-employed as a teacher is eligible to repay the refunded contributions. This section also revokes several provisions that are no longer consistent with how the cost to re-establish this refunded service is calculated.

SECTION 5 revokes a provision of the regulations that had allowed certain employees on leave to be paid a refund of all employee contributions to the Fund. The section also clarifies the types of unpaid leaves that are eligible for determining the salary that is deemed to be paid to a member under certain provisions of the Act. In addition the section explains the required minimum eligibility period that a member must have prior to purchasing service and the requirements of eligibility for sabbatical leave.

SECTION 6 provides for the commencement of these regulations.