

**EC2012-444****COURT FEES ACT  
DECLARATION RE**

Under authority of section 5 of the *Court Fees Act* Stats. P.E.I. 2004, c. 2 Council ordered that a Proclamation do issue proclaiming the said "Court Fees Act" to come into force effective September 1, 2012.

**EC2012-445****AN ACT TO AMEND THE COURT FEES ACT  
DECLARATION RE**

Under authority of section 6 of *An Act to Amend the Court Fees Act* Stats. P.E.I. 2012, c. 10 Council ordered that a Proclamation do issue proclaiming the said "An Act to Amend the Court Fees Act" to come into force effective September 1, 2012.

**EC2012-446****COURT FEES ACT  
FEES REGULATIONS**

Pursuant to section 4 of the *Court Fees Act* R.S.P.E.I. 1988, Cap. C-27.001, Council made the following regulations:

1. The fees payable in the Court of Appeal and Supreme Court are as set out in Schedule 1. Fees payable
2. The fees payable for criminal court matters in the Court of Appeal, Supreme Court and Provincial Court are as set out in Schedule 2. *Idem*
3. The deposit for a jury trial is as set out in Schedule 3. Deposit
4. The fees for the services performed by a sheriff are as set out in Schedule 4. Fees
5. The fees and allowances payable to Crown witnesses and jurors are as set out in Schedule 5. Fees and allowances
6. These regulations come into force on September 1, 2012. Commencement

## SCHEDULE 1

1. In the Supreme Court and the Court of Appeal, the following fees are payable, except in respect of proceedings to which sections 2 and 3 apply:

	<b>ACTION OR STAGE IN PROCEEDING</b>	<b>FEE</b>
<b>1.</b>	<b>On the issue of</b>	
	i. Statement of claim or notice of action	\$100
	ii. Notice of application or petition	100
	iii. Third or subsequent party claim	100
	iv. Statement of defence and counterclaim adding a party	100
	v. Summons to a witness	20
	vi. Certificate	20
	vii. Commission	40
	viii. Writ of execution	100
	ix. Notice of garnishment (including the filing of the notice with the Sheriff)	100
<b>2.</b>	<b>On the signing of:</b>	
	i. Order directing a reference	100
	ii. Notice of appointment for the assessment of party and party costs	100
	iii. Certificate of marriage	200
	iv. An appointment of a Commissioner	25
<b>3.</b>	<b>On the filing of</b>	
	i. Notice of intent to defend	50
	ii. Statement of defence where no notice of intent to defend or answer has been filed by the same party	50
	iii. Notice of appearance	50
	iv. Notice of motion served on another party, a notice of motion without notice, a notice of motion for a consent order or a notice of motion for leave to appeal	50
	v. Requisition, including signing of default judgment by registrar	50
	vi. Trial record, for the first time only	200
	vii. Notice of appeal from an interlocutory order	50
	viii. Notice of appeal to an appellate court of a final order of any court or tribunal	100
	ix. Jury notice in a civil proceeding	100
	x. Order of an administrative tribunal where no minute of judgment is attached	50
<b>4.</b>	<b>For obtaining an appointment with the Prothonotary for settlement of an order</b>	100
<b>5.</b>	<b>For perfecting an appeal</b>	100
<b>6.</b>	<b>For the making up and forwarding of papers, documents and exhibits</b>	\$1 per page to a max. of \$100
<b>7.</b>	<b>For making copies of documents</b>	
	i. Not requiring certification:	
	1-5 pages	5
	6-10 pages	10
	11-15 pages	15
	16-20 pages	20
	21-30 pages	25
	31-40 pages	30
	41-50 pages	35
	51 or more	40
	ii. Requiring certification	
	1-5 pages	10
	6-10 pages	15
	11-15 pages	20
	16-20 pages	25
	21-30 pages	30
	31-40 pages	35
	41-50 pages	40
	51 or more	45
<b>8.</b>	<b>For the inspection of a court file</b>	
	i. By a solicitor or party in the proceeding	Nil
	ii. By a person who has entered into an agreement with the Attorney General for the bulk inspection of court files, per file	5
	iii. By any other person, per file	20
<b>9.</b>	<b>For the retrieval from storage of a court file</b>	50
<b>10.</b>	<b>For the taking of an affidavit or declaration by a commissioner for taking affidavits</b>	10
<b>11.</b>	<b>For the making of a copy of a recorded proceeding</b>	20

<b>12.</b>	<b>For filing or renewing a minute of judgment</b>	50
<b>13.</b>	<b>For a judgment search</b>	
	i. per person	4
	ii. per case listing	3

2. The following fees are payable in respect of proceedings in the Family Section:

	<b>ACTION OR STAGE IN PROCEEDING</b>	<b>FEE</b>
<b>1.</b>	Petition for divorce	\$100
<b>2.</b>	On the filing on an answer, other than an answer referred to in item 3 or reply	50
<b>3.</b>	On the filing on an answer where the answer includes a request for a divorce by a respondent or counter-petition	50

3. The following fees are payable in respect of proceedings in the Small Claims Section:

	<b>ACTION OR STAGE IN PROCEEDING</b>	<b>FEE</b>
<b>1.</b>	Filing of a claim	\$ 50
<b>2.</b>	Filing of a defendant's claim	50
<b>3.</b>	Filing a notice of motion served on another party, a notice of motion without notice or a notice of motion for a consent order	40
<b>4.</b>	Filing a defence	25
<b>5.</b>	Issuing a summons to witness	10
<b>6.</b>	Issuing a certificate of judgment	25
<b>7.</b>	Issuing a writ of delivery, a writ of seizure and sale	50
<b>8.</b>	Issuing a notice of garnishment	50
<b>9.</b>	Entering of a default judgment	20

#### SCHEDULE 2 CRIMINAL COURT MATTERS

1. The following fees are payable in the Court of Appeal, Supreme Court and Provincial Court:

	<b>MATTER</b>	<b>FEE</b>
<b>1.</b>	For a criminal conviction search	\$ 20
<b>2.</b>	For each certificate of conviction	20
<b>3.</b>	For completion of an application for a record suspension (pardon)	100
<b>4.</b>	For the making of a copy of a recorded proceeding	20

#### SCHEDULE 3 JURY TRIAL

1. Subject to the provisions of the *Jury Act*, in the Supreme Court, the party filing a jury notice shall deposit a fee of not less than \$2,000 with the Registrar at least 30 days prior to the trial date.

#### SCHEDULE 4 SHERIFF'S FEES

1. (1) The following fees and costs are payable for services performed by a sheriff:

	<b>SERVICE</b>	<b>FEE</b>
<b>1.</b>	For up to three attempts, whether or not successful, to serve a claim, third party claim, summons to witness, notice of examination or notice of garnishment, issued out of another jurisdiction, for each person to be served at the same address	\$125 plus \$10 notary fee and mileage at the rates referred to in subsection (2)
<b>2.</b>	The execution of an enforcement order under Rule 60 or 74 of the Rules of Court, or a seizure under a written authorization to act as agent	\$100 plus 10% on the amount realized, mileage at the rates referred to in subsection (2), and all reasonable expenses and disbursements necessarily incurred including, without limitation, fees for towing, appraisals and storage
<b>3.</b>	Enforcing an eviction order	\$125 plus mileage at the rates referred to in subsection (2)
<b>4.</b>	Booking fee for a mortgage sale or tax sale	100
<b>5.</b>	Conducting a mortgage sale or tax sale	150
<b>6.</b>	Conducting a judgment debtor exam	75

(2) Travel costs pertaining to services performed by a sheriff shall be charged at the same rates as those specified from time to time by the Treasury Board.

(3) The hourly rate charged for each sheriff performing services, in addition to the fees set out in subsection (1), shall be \$50.

**SCHEDULE 5  
FEES AND ALLOWANCES TO CROWN WITNESSES AND JURORS**

1. In the Supreme Court and Provincial Court, the following fees and allowances are payable to crown witnesses and jurors:

	ACTION	FEE or ALLOWANCE
1.	For attendance in court, per one-half day	\$ 25
2.	For travel to court, in addition to the fee set out in item 1:	
	(i) within city or town limits,	6
	(ii) within province per kilometre.	0.24
3.	For travel to court from outside province	reasonable traveling expenses actually incurred, but not exceeding the equivalent of the guidelines and amounts set out in the Treasury Board Travel Regulations and Policies respecting out-of-province travel

**EXPLANATORY NOTES**

**SECTION 1** establishes the fees payable for matters in the Court of Appeal and Supreme Court as those set out in Schedule 1.

**SECTION 2** establishes the fees payable for criminal court matters in the Court of Appeal, Supreme Court and Provincial Court as those set out in Schedule 2.

**SECTION 3** establishes the deposit payable for a jury trial as that set out in Schedule 3.

**SECTION 4** establishes the fees for sheriffs' services as those set out in Schedule 4.

**SECTION 5** establishes the fees and allowances payable to crown witnesses and jurors as those set out in Schedule 5.

**SECTION 6** provides for the commencement of these regulations.

**EC2012-447**

**COURT FEES ACT  
WAIVER REGULATIONS**

Pursuant to section 4 of the *Court Fees Act* R.S.P.E.I. 1988, Cap. C-27.001, Council made the following regulations:

1. The Prothonotary of the Supreme Court and Court of Appeal may on application by a party waive or reduce any fee payable pursuant to regulations made under the Act if, in the opinion of the Prothonotary, the following conditions have been met:

Waiver or deduction of fees

- (a) the party cannot afford to pay the fee because he or she lacks financial means;
- (b) the party would not be able to proceed with his or her claim, application, motion, defence or appeal or request for service unless the fee was reduced or waived;
- (c) the party's claim, application, petition or motion, defence or appeal is, on its face, meritorious.

2. An application for waiver or reduction of a fee shall be in writing.

Request in writing

- 3.** If the applicant requests a waiver, the Prothonotary may nevertheless provide a reduction of the fee in question. Waiver or reduction
- 4.** The decision of the Prothonotary to grant or refuse an application under section 1, or to provide a reduction rather than a waiver of a fee under section 3, shall be communicated to the applicant in writing. Decision in writing
- 5.** The Prothonotary shall not waive or reduce a fee payable pursuant to regulations made under the Act if, in the opinion of the Prothonotary, the party's claim, application, petition, motion, defence or appeal: No waiver or reduction
- (a) discloses no reasonable cause of action, defence or grounds;
  - (b) is scandalous, frivolous or vexatious;
  - (c) may prejudice, embarrass or delay the course of the proceedings;
  - or
  - (d) is otherwise an abuse of the court's process.
- 6.** These regulations come into force on September 1, 2012. Commencement

#### EXPLANATORY NOTES

**SECTION 1** authorizes the Prothonotary, on application, to waive or reduce a fee payable pursuant to the regulations made under the Court Fees Act if in the opinion of the Prothonotary the person required to pay the fee is unable to pay it, the person would be unable to proceed with his or her claim unless the fee were reduced or waived and the person's claim appears to have merit.

**SECTION 2** requires an application to waive or reduce a fee to be in writing.

**SECTION 3** provides that where an applicant requests a waiver of a fee the Prothonotary may reduce the fee instead.

**SECTION 4** provides that a decision of the Prothonotary under section 1 or 3 must be communicated to the applicant in writing.

**SECTION 5** prohibits the waiving or reduction of a fee by the Prothonotary if in the opinion of the Prothonotary the applicant's claim, application, petition, motion, defence or appeal discloses no reasonable cause of action, defence or grounds, is scandalous, frivolous or vexatious, may prejudice the course of the proceedings or is otherwise an abuse of the court's process.

**SECTION 6** provides for the commencement of these regulations.

#### EC2012-448

#### ELECTRIC POWER ACT CITY OF SUMMERSIDE ELECTRIC UTILITY ANNUAL ASSESSMENT DETERMINED

Pursuant to clause 46(2)(a) of the *Electric Power Act* R.S.P.E.I. 1988, Cap. E-4, Council determined the assessment to be paid by the City of Summerside Electric Utility to the Island Regulatory and Appeals Commission for the 2012-2013 fiscal year to be twenty thousand dollars (\$20,000.00).

**EC2012-449**

EXECUTIVE COUNCIL ACT  
 MINISTER OF ENVIRONMENT, LABOUR AND JUSTICE  
 AUTHORITY TO ENTER INTO AN AGREEMENT  
 (MEMORANDUM OF UNDERSTANDING  
 FOR INSPECTION OF  
 ELEVATING DEVICES)  
 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 Environment, Labour and Justice to enter into a memorandum of understanding with the Government of Canada, as represented by the Minister of Public Works and Government Services Canada, to set out terms and conditions for provision by Department of Environment, Labour and Justice of inspection services for elevating/conveying and associated safety devices installed in federal government facilities in Prince Edward Island during the period June 1, 2012 to March 31, 2017, such as more particularly described in the draft agreement.

**EC2012-450**

EXECUTIVE COUNCIL ACT  
 MINISTER OF ENVIRONMENT, LABOUR AND JUSTICE  
 AUTHORITY TO ENTER INTO AN AGREEMENT  
 (MEMORANDUM OF UNDERSTANDING  
 FOR INSPECTION OF  
 BOILERS/PRESSURE VESSELS)  
 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 Environment, Labour and Justice to enter into a memorandum of understanding with the Government of Canada, as represented by the Minister of Public Works and Government Services Canada, to set out terms and conditions for provision by Department of Environment, Labour and Justice of inspection services for boilers, pressure vessels, pressure piping systems and attached associated safety devices in federal government facilities in Prince Edward Island during the period June 1, 2012 to March 31, 2017, such as more particularly described in the draft agreement.

**EC2012-451**

EXECUTIVE COUNCIL ACT  
 MINISTER OF FINANCE, ENERGY AND MUNICIPAL AFFAIRS  
 AUTHORITY TO ENTER INTO AN AGREEMENT  
 (COMPUTERS FOR SCHOOLS PROGRAM CONTRIBUTION  
 AGREEMENT)  
 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 Finance, Energy and Municipal Affairs to enter into an agreement with the Government of Canada, as represented by the Minister of Industry, to continue for the 2012-13 fiscal year, the Computers for Schools Program in Prince Edward Island, such as more particularly described in the draft agreement.

**EC2012-452**

EXECUTIVE COUNCIL ACT  
 MINISTER OF HEALTH AND WELLNESS  
 AUTHORITY TO ENTER INTO AN AGREEMENT  
 (AMENDING HEALTH FUNDING  
 CONSOLIDATED CONTRIBUTION AGREEMENT)  
 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, as Minister Responsible for Health PEI, to enter into an agreement with the Government of Canada, as represented by the Minister of Health, to amend the terms and conditions of the Health Services Integration Fund Contribution Agreement dated December 28, 2011 to include funding in fiscal year 2012/13 for a chronic disease prevention and management project, such as more particularly described in the draft agreement.

**EC2012-453**

EXECUTIVE COUNCIL ACT  
 MINISTER OF HEALTH AND WELLNESS  
 AUTHORITY TO ENTER INTO AN AGREEMENT  
 (MEMORANDUM OF AGREEMENT  
 CANADIAN CHRONIC DISEASE SURVEILLANCE 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 Health and Wellness to enter into an agreement with the Government of Canada, as represented by the Minister of Health acting through the Public Health Agency of Canada, to set out terms and conditions for the Province's participation in the Canadian Chronic Disease Surveillance System in fiscal years 2012/13, 2013/14 and 2014/15, such as more particularly described in the draft agreement.

**EC2012-454**

FINANCIAL ADMINISTRATION ACT  
 COMMUNITIES 13 INC.  
 GUARANTEE OF LOAN

Having under consideration the recommendation of Treasury Board (reference Minute TB#175/12 of 18 July 2012), pursuant to subsection 32(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council agreed to guarantee payment of a revolving line of credit loan by Communities 13 Inc. (hereinafter referred to as "the borrower") in an amount not exceeding one hundred thousand dollars (\$100,000.00) (hereinafter referred to as the "guaranteed indebtedness") together with interest thereon at the floating prime rate with a floor of three decimal five (3.5) percent to the Metro Credit Union Ltd. of Charlottetown, Prince Edward Island (hereinafter referred to as "the lender"), from the 14<sup>th</sup> day of August 2012 through to and including 1700 hours on the 1<sup>st</sup> day of August 2013, the said guarantee to be subject to and conditional upon the following terms and conditions:

1. The guaranteed indebtedness, including interest, shall be due and payable in full by the borrower no later than the 1<sup>st</sup> day of August 2013.

2. Any advances made by the lender after the 1<sup>st</sup> day of August 2013 shall not form part of the guaranteed indebtedness.
3. The guarantee shall absolutely expire and be null and void without notice to the lender at 1700 hours on the 1<sup>st</sup> day of August 2013 regardless of any advances that may have been made by the lender to the borrower unless on or before the 1<sup>st</sup> day of August 2013, notice has been given to the Government of Prince Edward Island, as represented by the Minister of Finance, Energy and Municipal Affairs that the borrower has defaulted in repayment of the guaranteed indebtedness to the lender, and calling upon the Minister of Finance, Energy and Municipal Affairs to pay the lender pursuant to the guarantee. The written notice shall include a copy of the written demand given by the lender to the borrower calling upon the borrower to pay the balance in full.
4. Government shall be entitled at any time to terminate the guarantee by paying to the lender such amount of the guaranteed indebtedness as may be owing by the borrower to the lender and the lender shall assign to the government all security the lender holds in connection with the guaranteed indebtedness.
5. The Minister of Finance, Energy and Municipal Affairs may add such further terms and conditions to the guarantee as he considers appropriate.
6. The guarantee shall not become effective until the lender has agreed in writing to the terms and conditions herein contained and those imposed by the Minister of Finance, Energy and Municipal Affairs pursuant to paragraph 5 above. The guaranteed indebtedness shall not include any advances made by the lender prior to the agreement by the lender with the terms and conditions herein contained and those imposed by the Minister of Finance, Energy and Municipal Affairs.

**EC2012-455**

FINANCIAL ADMINISTRATION ACT  
PRINCE EDWARD ISLAND GRAIN ELEVATORS CORPORATION  
GUARANTEE OF LOAN

Having under consideration the recommendation of Treasury Board (reference Minute TB176/12 of 18 July 2012), pursuant to subsection 32(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council agreed to guarantee payment of a revolving line of credit loan by Prince Edward Island Grain Elevators Corporation (hereinafter referred to as "the borrower") in an amount not exceeding six million dollars (\$6,000,000.00) (hereinafter referred to as the "guaranteed indebtedness") together with interest thereon at the option to transfer between prime minus zero decimal two five (0.25) percent and the Banker's Acceptance Rate, plus a standby fee of zero decimal zero six two five (0.0625) percent on the daily unused portion of the line of credit to the Bank of Nova Scotia in Summerside, Prince Edward Island (hereinafter referred to as "the lender"), from the 14<sup>th</sup> day of August 2012 through to and including 1700 hours on the 31<sup>st</sup> day of July 2013, the said guarantee to be subject to and conditional upon the following terms and conditions:

1. The guaranteed indebtedness, including interest, shall be due and payable in full by the borrower no later than the 31<sup>st</sup> day of July 2013.
2. Any advances made by the lender after the 31<sup>st</sup> day of July 2013 shall not form part of the guaranteed indebtedness.
3. The guarantee shall absolutely expire and be null and void without notice to the lender at 1700 hours on the 31<sup>st</sup> day of July 2013 regardless of any advances that may have been made by the lender to the borrower unless on or before the

31<sup>st</sup> day of July 2013, notice has been given to the Government of Prince Edward Island, as represented by the Minister of Finance, Energy and Municipal Affairs that the borrower has defaulted in repayment of the guaranteed indebtedness to the lender, and calling upon the Minister of Finance, Energy and Municipal Affairs to pay the lender pursuant to the guarantee. The written notice shall include a copy of the written demand given by the lender to the borrower calling upon the borrower to pay the balance in full.

4. Government shall be entitled at any time to terminate the guarantee by paying to the lender such amount of the guaranteed indebtedness as may be owing by the borrower to the lender and the lender shall assign to the government all security the lender holds in connection with the guaranteed indebtedness.

5. The Minister of Finance, Energy and Municipal Affairs may add such further terms and conditions to the guarantee as he considers appropriate.

6. The guarantee shall not become effective until the lender has agreed in writing to the terms and conditions herein contained and those imposed by the Minister of Finance, Energy and Municipal Affairs pursuant to paragraph 5 above. The guaranteed indebtedness shall not include any advances made by the lender prior to the agreement by the lender with the terms and conditions herein contained and those imposed by the Minister of Finance, Energy and Municipal Affairs.

**EC2012-456**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
DANIEL BERARD  
(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 Daniel Berard of Ste.-Beatrix, Quebec to acquire an interest in a land holding of approximately one hundred and ninety-four decimal three four (194.34) acres of land in Lots 50 and 57, Queens County, Province of Prince Edward Island, being acquired from Fay MacKinnon of Charlottetown, Prince Edward Island.

**EC2012-457**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
LERISA HUNTINGFORD  
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Lerisa Huntingford of Parksville, British Columbia to acquire a land holding of approximately five decimal seven seven (5.77) acres of land in Lot 58, Queens County, Province of Prince Edward Island, being acquired from Darin T. Hancock and Sherry L. Hancock, both of Belfast, 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.

**EC2012-458**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 RONALD I. NELSON  
 (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 Ronald I. Nelson of Fall River, Nova Scotia to acquire a land holding of approximately one decimal six seven (1.67) acres of land in Lot 64, Kings County, Province of Prince Edward Island, being acquired from the Estate of Patrick A. Wootton of Stratford, Prince Edward Island.

**EC2012-459**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 DAVID VANDENBERG  
 (APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to David Vandenberg of Nakusp, British Columbia to acquire a land holding of approximately one decimal three two (1.32) acres of land in Lot 61, Kings County, Province of Prince Edward Island, being acquired from Blair Horace Sencabaugh and Dianne Sencabaugh, 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.

**EC2012-460**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 SEAN C.E. HERSEY AND SUSAN L.B. WILSON  
 (APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Sean C.E. Hersey and Susan L.B. Wilson, both of Borden-Carleton, Prince Edward Island to acquire a land holding of approximately seventeen (17) acres of land in Lot 27, Prince County, Province of Prince Edward Island, being acquired from J. John Charles Wright of Albany, 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.

**EC2012-461**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
KATHARINE MARGARET ZABORSKY  
(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 Katharine Margaret Zaborsky of Canmore, Alberta to acquire an interest in a land holding of approximately sixty-seven (67) acres of land in Lot 58, Queens County, Province of Prince Edward Island, being acquired from Mark Edwin Raymond of Hamilton, Ontario.

Further, Council noted that the said land holding, being Provincial Property No. 333641, 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.

**EC2012-462**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
101532 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 101532 P.E.I. Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately four decimal four three (4.43) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from The Pepsi Bottling Group (Canada), ULC of Mississauga, Ontario.

**EC2012-463**

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 one (0.021) acres of land in Lot 48, Queens County, Province of Prince Edward Island, being acquired from Trevor Darrach of Stratford, Prince Edward Island.

**EC2012-464**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 DESABLE SEE VIEW FARMS LIMITED  
 (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 Desable See View Farms Limited of DeSable, Prince Edward Island to acquire a land holding of approximately one hundred and nine decimal six four (109.64) acres of land in Lots 29 and 30, Queens County, Province of Prince Edward Island, being acquired from Donald H. MacNevin of DeSable, 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.

**EC2012-465**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 HARCOR HOLDINGS 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 Harcor Holdings Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately two decimal three eight (2.38) acres of land in Lot 19, Prince County, Province of Prince Edward Island, being acquired from Daisy Lou Inc. of Kensington, Prince Edward Island.

**EC2012-466**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 HARCOR HOLDINGS 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 Harcor Holdings Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately four decimal five five (4.55) acres of land in Lot 19, Prince County, Province of Prince Edward Island, being acquired from the Estate of Brian Stavert and Maryse Stavert of Kensington, Prince Edward Island.

**EC2012-467**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
LAWLESS PROPERTY MANAGEMENT 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 Lawless Property Management Inc. of Kinkora, Prince Edward Island to acquire a land holding of approximately zero decimal nine five five (0.955) acres of land in Lot 27, Prince County, Province of Prince Edward Island, being acquired from Neville Joseph Lawless and Bertha Theresa Lawless, both of Kinkora, Prince Edward Island and Gerald Neville Lawless and Ellen Elizabeth Lawless, both of Charlottetown, Prince Edward Island.

**EC2012-468**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
MACDONALD'S BAKERY 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 MacDonald's Bakery Ltd. of Brudenell, Prince Edward Island to acquire a land holding of approximately two decimal five one (2.51) acres of land in Lot 54, Kings County, Province of Prince Edward Island, being acquired from Richard "Scott" MacDonald and Mark Alexander MacDonald, both of Elliotvale, 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.

**EC2012-469**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
QUEENS COUNTY RESIDENTIAL SERVICES 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 Queens County Residential Services Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately two decimal six two (2.62) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from the Government of Prince Edward Island as represented by the Minister of Transportation and Infrastructure Renewal of Charlottetown, Prince Edward Island.

**EC2012-470**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
R.A. ROSE & SONS LIMITED  
(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 R.A. Rose & Sons Limited of Elmira, Prince Edward Island to acquire a land holding of approximately twenty-five (25) acres of land in Lot 47, Kings County, Province of Prince Edward Island, being acquired from Nicklas Oldenburg of Providence, Rhode Island.

**EC2012-471**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
R.A. ROSE & SONS LIMITED  
(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 R.A. Rose & Sons Limited of Elmira, Prince Edward Island to acquire, by lease, an interest in a land holding of approximately fifteen decimal five (15.5) acres of land in Lots 46 and 47, Kings County, Province of Prince Edward Island, being acquired from the Government of Prince Edward Island as represented by the Minister of Transportation and Infrastructure Renewal of Charlottetown, Prince Edward Island.

**EC2012-472**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
SPUD ISLE FARMS (2010) 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 Spud Isle Farms (2010) Ltd. of Morell, Prince Edward Island to acquire a land holding of approximately one hundred and seventy-three decimal zero eight (173.08) acres of land in Lots 38 and 40, Kings County, Province of Prince Edward Island, being acquired from Blair A. MacDonald of Morell, 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.

**EC2012-473**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
TRIPLE M 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 Triple M Farms Ltd. of Summerside, Prince Edward Island to acquire a land holding of approximately ninety-seven (97) acres of land in Lot 12, Prince County, Province of Prince Edward Island, being acquired from the Estate of Olga Ruby Ford, c/o Sandra Inman, Executor, of Tyne Valley, 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.

**EC2012-474**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
VEGKISS PEI PRODUCTIONS 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 Vegkiss PEI Productions Inc. of Joliette, Quebec to acquire a land holding of approximately one hundred and ninety-four decimal three four (194.34) acres of land in Lots 50 and 57, Queens County, Province of Prince Edward Island, being acquired from Fay MacKinnon 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.

**EC2012-475**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PROPERTY NO. 760611, 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 forty-two (42) acres of land, being Provincial Property No. 760611 located in Lot 18, Prince County, Prince Edward Island and currently owned by Pendergast Enterprises Ltd. of Darnley, Prince Edward Island.

Council noted that this amendment will enable subdivision of the parcel into six (6) lots and determined that following subdivision, identification for non-development use shall continue to apply to all six (6) lots.

This Order-in-Council comes into force on August 14, 2012.

**EC2012-476**

LABOUR ACT  
LABOUR RELATIONS BOARD  
APPOINTMENTS

Pursuant to subsections 3(2) and 3(2.1) of the *Labour Act* R.S.P.E.I. 1988, Cap. L-1 Council made the following appointments:

<b>NAME</b>	<b>TERM OF APPOINTMENT</b>
as chairperson	
Nancy Birt Charlottetown (reappointed)	4 December 2010 to 4 December 2013
as vice-chairperson	
Karen MacLeod Montague (reappointed)	4 February 2011 to 4 February 2014
as employer representative	
John Cormier Charlottetown (reappointed)	11 January 2010 to 11 January 2013
Judy Hughes Charlottetown (reappointed)	4 December 2010 to 4 December 2013
Fraser MacDougall Canoe Cove (reappointed)	11 January 2011 to 11 January 2014
Tania MacKenzie Stratford (vice Linus Gillis, deceased)	14 August 2012 to 14 August 2015
as employee representatives	
Thane Arsenault Charlottetown (vice Paul Chaisson, resigned)	14 August 2012 to 14 August 2015
Blair James Charlottetown (reappointed)	4 December 2010 to 4 December 2013
Michael Lund Mermaid (reappointed)	23 January 2010 to 23 January 2013
Raymond McBride Tracadie (reappointed)	26 May 2012 to 26 May 2015

**EC2012-477**

**ROADS ACT  
HIGHWAY ACCESS REGULATIONS  
INDUSTRIAL OPERATION  
DETERMINATION**

Pursuant to clause 20(1)(c) of the *Roads Act Highway Access Regulations* (EC580/95) Council determined that

- (a) an industrial operation to be established on Provincial Property No. 411181 at Bridgetown, Lot 55, Kings County, constitutes a change of use for this property; and
- (b) establishment of this industrial operation adjacent to Route 4 at Bridgetown is in the best interest of the province.

**EC2012-478**

**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-1, ARTERIAL HIGHWAYS, of the *Roads Act Highway Access Regulations* (EC580/95) is amended by the revocation of subsection 1(7).**

**2. Schedule B-1, COLLECTOR HIGHWAYS, of the regulations is amended by the revocation of subsection 1(23) and the substitution of the following:**

(23) Route 150, from the intersection of Route 2 in the settlement of Elmsdale to the intersection with Route 12 in the Town of Alberton.

**3. These regulations come into force on August 25, 2012.**

**EXPLANATORY NOTES**

**SECTION 1** de-classifies approximately 4.2 km of Route 150 from Elmsdale to Union as an Arterial Highway.

**SECTION 2** classifies approximately 4.2 km of Route 150 from Elmsdale to Union as a Collector Highway. Thus the entire section, 4.83 km, of Route 150 from Rte 2 in Elmsdale to Route 12 in the Town of Alberton will now be classified as a Collector Highway.

**SECTION 3** provides for the commencement of these regulations.

**EC2012-479****STUDENT FINANCIAL ASSISTANCE ACT  
GENERAL REGULATIONS  
INTEREST RATES APPLICABLE  
TO STUDENT LOANS**

Effective October 1, 2012 and pursuant to section 38 of the *Student Financial Assistance Act* General Regulations (EC709/10), Council determined that zero percent (0%) interest shall be applicable to any student loan issued after January 1, 2001 and held by the PEI Student Financial Assistance Corporation, provided the said student loan is not in default.

Further, Council noted that pursuant to subsection 75(2) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, the Minister of Finance, Energy and Municipal Affairs has authority to institute proceedings for recovery of amounts due for student loans in default, together with interest thereon at such rate as may be determined by the Minister of Finance, Energy and Municipal Affairs. The current rate for student loans in default is Bank of Canada commercial prime plus two (2%) percent.

Order-in Council EC2011-153 of 29 March 2011 is hereby rescinded.