

EC2004-82

ADVISORY COUNCIL ON THE STATUS OF WOMEN ACT
ADVISORY COUNCIL ON THE STATUS OF WOMEN
APPOINTMENT

Pursuant to section 5 of the *Advisory Council on the Status of Women Act* R.S.P.E.I. 1988, Cap. A-6 Council made the following appointment:

| NAME | TERM OF APPOINTMENT |
|---|--|
| Aleah MacLennan Port Hill (vice Valerie Smallman, term expired) | 10 February 2004 to 10 February 2007 |

EC2004-83

AGRICULTURAL INSURANCE ACT
REGULATIONS
AMENDMENT

Pursuant to section 16 of the *Agricultural Insurance Act* R.S.P.E.I. 1988, Cap. A-8.2, Council approved the following regulations made by the Board of the Prince Edward Island Agricultural Insurance Corporation:

1. Section 1 of the *Agricultural Insurance Act* Regulations (EC282/94) is amended

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

(b.1) “annual index”, for an insured in respect of a crop group, annual index
means the ratio between

- (i) the insured’s production to count in a crop year for the crop group, and
- (ii) the average production to count for the province as a whole for that crop group and for that crop year;

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

(i.1) “crop group” means the group of crops set out in any one of the crop group
clauses of subsection 14(1);

(c) by the revocation of clause (j) and the substitution of the following:

- (j) “crop year” means crop year
- (i) in the case of apples or wild lowbush blueberries, the period from December 1 in any year to November 30 in the following year,
 - (ii) in the case of strawberries, the period from December 1 in any year to June 30 in the following year, or

(iii) in the case of any other crop, the period from April 1 in any year to March 31 in the following year;

(d) in clause (r.1),

(i) by the deletion of the semicolon after subclause (v) and the substitution of the words “, and”, and

(ii) by the addition of the following:

(vi) a person and his or her brother-in-law or sister-in-law.

(e) by the addition of the following after clause (r.3):

(r.4) “performance index”, for an insured in respect of a crop group, performance index
means the ratio between

(i) the sum of the insured’s annual indexes for the crop group for each year that the insured has insured the crop group, divided by the number of crop years that the insured has insured the crop group, and

(ii) the average production to count for the province as a whole for that crop group and for the crop years that the crop group has been insured under the Act;

2. Section 3 of the regulations is amended

(a) in clause (a), by the addition of the words “varieties or other Russet potato varieties” after the words “Russet Burbank potato”;

(b) by the revocation of clause (f);

(c) in clause (i), by the addition of the words “or silage corn” after the words “grain corn”;

(d) by the deletion of the period after clause (aa) and the substitution of a semicolon; and

(e) by the addition of the following after clause (aa):

(bb) carrots;

(cc) strawberries.

3. Subsection 4(4) is amended by the deletion of the words “production performance or index” and the substitution of the words “performance index”.

4. Section 7 of the regulations is amended

(a) in clause (i), by the addition of the words “or silage corn” after the words “grain corn”;

(b) by the deletion of the period after clause (n) and the substitution of a semicolon; and

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

(o) carrots;

(p) strawberries.

5. The regulations are amended by the addition of the following after section 10:

10.1 The insurance agreement does not insure against, and no indemnity shall be paid in respect of, a loss in production of an insurable crop from any planted acreage that is subject to the insurance agreement and in respect of which the insured, during the term of the insurance agreement, contravenes a provision of

Contravention of certain Acts

(a) the *Environmental Protection Act* or its regulations;

(b) the *Pesticides Control Act* or its regulations; or

(c) the *Agricultural Crop Rotation Act* or its regulations.

6. Subsection 13(5) of the regulations is revoked and the following substituted:

(5) The remainder of the premium owing after the deposit has been paid is due and payable by the insured by June 30 of the crop year to which the insurance policy applies.

Date premium balance due

(5.1) Interest, at a rate determined by the Board, shall be paid by the insured for the balance of the premium that is outstanding at the end of July and at the end of any subsequent month. Interest on premium
balance outstanding

7. (1) Subsection 14(1) of the regulations is amended

(a) in clause (b), by the addition of the words “, silage corn” after the words “grain corn”;

(b) by the revocation of clauses (f) to (h) and the substitution of the following:

(f) all rutabagas, field peppers and apples;

(c) by the deletion of the period after clause (i) and the substitution of a semicolon; and

(d) by the addition of the following after clause (i):

(j) carrots;

(k) strawberries.

(2) Subsection 14(4) of the regulations is revoked and the following substituted:

(4) In no case may the discount or surcharge calculated under subsection (3) exceed Maximum discounts
or surcharge

(a) 10% of the base premium amount, in the case of an insured with a loss ratio based on one year of insurance history;

(b) 20% of the base premium amount, in the case of an insured with a loss ratio based on two years of insurance history;

(c) 30% of the base premium amount, in the case of an insured with a loss ratio based on three years of insurance history;

(d) 40% of the base premium amount, in the case of an insured with a loss ratio based on four years of insurance history; or

(e) 50% of the base premium amount, in the case of an insured with a loss ratio based on five or more years of insurance history.

8. (1) Subsection 17(2) of the regulations is amended

(a) by the deletion of the words “The following coverage levels” and the substitution of the words “Subject to subsection (2.1), the following coverage levels”;

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

(b.1) subject to clause (b) and subclause (c)(iii), 80%, for all types and varieties of potatoes;

(b.2) for carrots,

(i) 80%, where the insured has provided to the Board the field date required by the Board for the past three years, or

(ii) 70%, in any case other than one referred to in subclause (i);

(b.3) for strawberries or wild lowbush blueberries, 70% or 80%, at the insured’s option;

(2) Section 17 of the regulations is amended by the addition of the following after subsection (2):

(2.1) The coverage level for apple trees is equal to the number of trees subject to the insured’s policy. Apple trees

9. Subsection 23(1) of the regulations is amended by the addition of the words “and silage corn” after the words “grain corn”.

10. (1) Subsection 24(2) of the regulations is revoked and the following substituted:

(2) The maximum insured value for a crop under Stage II is as follows:

| Crop | Insured Value | Maximum insured value |
|---|---------------|-----------------------|
| Cereals (spring) | 50 - 80% | |
| Cereals (winter) | 45 - 60% | |
| Cole Crops - broccoli and cauliflower | 50 - 75% | |
| Dry beans | 50 - 80% | |
| Field peppers | 50 - 75% | |
| Grain corn and silage corn | 46 - 60% | |
| Potatoes | 40 - 65% | |
| Rutabagas | 50 - 80% | |
| Soybeans | 50 - 70% | |
| Strawberries (winter kill losses) for year 1 and 2 of production | 45% | |
| Strawberries (winter kill losses) for year 3 of production | 25% | |
| Strawberries (blossom damage) | 30% | |
| Wild lowbush blueberries | 50% | |

(2) Section 24 of the regulations is amended by the addition of the following after subsection (4):

(4.2) Where a loss or damage in respect of insured apple trees occurs in Stage II because of an insured peril, the Corporation will provide an indemnity at the insured value for the lost or damaged trees, less a deductible equal to 3% of the number of insured trees after the trees have been removed. Loss of apple trees

11. (1) PART V - POTATOES of Schedule A of the regulations is amended in the table, by the deletion of the words "June 16" wherever they occur and the substitution of the words "June 21".

(2) PART V - POTATOES - PRODUCTION TO COUNT of Schedule A of the regulations is amended

(a) in subclause (b)(iii), by the deletion of the words "25%" and the substitution of the words "35%"; and

(b) in subclause (b)(iv), by the deletion of the words "20%" and the substitution of the words "30%".

12. Part X - GRAIN CORN of Schedule A of the regulations is revoked and the following substituted:

Part X - GRAIN CORN

This Schedule A Grain Corn Supplement forms an integral part of the CROP INSURANCE AGREEMENT and as such contains supplementary information specific to Grain Corn.

| DATE | TOPIC | REQUIREMENTS and/or EFFECTS |
|------------------|---|---|
| May 31 | Application deadline | |
| | Required deposit | 15 - 50% as per Section 13(2) |
| | Perils insured against | See Section 8 |
| | Seed quality standard | Minimum 85% germination rate |
| | Approved varieties | All varieties recommended in the Atlantic Provinces Crop Production Guide, Publication 100, or any other variety approved by the Corporation. |
| May 12 May 22 | Final Planting date - Mid Season | Probable yield reduced by 2% per day after May 12 Acres planted after May 22 are not eligible for insurance |
| May 25 June 4 | Final Planting date - Short Season | Probable yield reduced by 2% per day after May 25 Acres planted after June 4 are not eligible for insurance |
| | Stage I indemnity rate (30 days after planting) | Maximum indemnity is 30% of insured value (Section 23) |
| | Stage II indemnity rate (unharvested acres) | Maximum indemnity is a 120 day sliding |

| FULL OFFSET between Stage II and Stage III | | scale from 50 to 80% of insured value (Section 24) | | | | | | |
|--|--|---|---------------|---------------|------------|------------|---------|------|
| Stage III indemnity rate (harvested crop) | | Indemnity equals the shortfall in production at the Unit Price (Section 25) | | | | | | |
| Oct 30 | Final date for harvest | Subsequent field losses are at the insured's risk | | | | | | |
| Nov 20 | Final date for filing PROOF of LOSS in writing | | | | | | | |
| <p>PRODUCTION TO COUNT FOR GRAIN CORN: For the purpose of calculating production or production to count, the following conversion factors may be used: MT = metric tonnes = 2204 pounds For grain corn stored in bins - 1 cubic foot equals 0.803564 bushels For grain corn sold off farm, use the net sales weight before dockage (mt) All grain corn weights will be adjusted to the standard moisture content when wet weights are provided. Adjusted weight = (actual weight) x (100 - actual moisture content) / (100 - standard moisture content) Production to count for grain corn means the total production before dockage, with a moisture adjustment expressed in metric tonnes. This production will be considered production to count whether the production is sold or is used as feed on farm.</p> <table border="1"> <thead> <tr> <th>Standard Crop</th> <th>Bushel Weight</th> <th>Moisture %</th> </tr> </thead> <tbody> <tr> <td>Grain corn</td> <td>56 lbs.</td> <td>15.5</td> </tr> </tbody> </table> | | | Standard Crop | Bushel Weight | Moisture % | Grain corn | 56 lbs. | 15.5 |
| Standard Crop | Bushel Weight | Moisture % | | | | | | |
| Grain corn | 56 lbs. | 15.5 | | | | | | |

Part X.1 - SILAGE CORN

This Schedule A Silage Corn Supplement forms an integral part of the CROP INSURANCE AGREEMENT and as such contains supplementary information specific to Silage Corn.

| DATE | TOPIC | REQUIREMENTS and/or EFFECTS |
|--|---|---|
| May 31 | Application deadline | |
| | Required deposit | 15 - 50% as per Section 13(2) |
| | Perils insured against | See Section 8 |
| | Seed quality standard | Minimum 85% germination rate |
| | Approved varieties | All varieties recommended in the Atlantic Provinces Crop Production Guide, Publication 100, or any other variety approved by the Corporation. |
| May 25 June 9 | Final Planting date | Probable yield reduced by 2% per day after May 25 Acres planted after June 9 are not eligible for insurance |
| | Stage I indemnity rate (30 days after planting) | Maximum indemnity is 30% of insured value (Section 23) |
| | Stage II indemnity rate (unharvested acres) FULL OFFSET between Stage II and Stage III | Maximum indemnity is a 120 day sliding scale from 50 to 80% of insured value (Section 24) |
| | Stage III indemnity rate (harvested crop) | Indemnity equals the shortfall in production at the Unit Price (Section 25) |
| Oct 30 | Final date for harvest | Subsequent field losses are at the insured's risk |
| Nov 20 | Final date for filing PROOF of LOSS in writing | |
| <p>PRODUCTION TO COUNT FOR SILAGE CORN: Production to count for silage corn means the amount of the harvested crop measured in metric tonnes. MT = metric tonnes = 2204 pounds. Industry standard for silage corn is 66% moisture. 1) For the purpose of calculating production or production to count, the volume of silage corn stored in a horizontal silo shall be determined by using the formula: Length x width x average height x compaction factor x 40 lb./cu.ft. / 2204 = tonnes corn silage. Compaction factor = 0.7615 + (0.016613 x height) + (.0056095 x width) 2) For the purpose of calculating production or production to count, the volume of silage corn stored in a vertical or upright silo shall be determined using the formula: Diameter x diameter x height x 0.8 x compaction factor x 0.907 = tonnes corn silage Compaction Factor = Factors from Corn Silage Compaction Table for upright silos. If cone shaped - take average height and add to depth. 3) For the purpose of calculating production or production to count for silage corn, the volume of silage corn blown into a wagon shall be determined by using the formula; Length x width x average height x 25 lbs. / 2204 = tonnes silage corn. 4) For the purpose of calculating production or production to count for silage corn, the equivalent volume of silage corn from grain or high moisture ear cob corn (HMEC) shall be determined using the following conversion factors: 1 tonne grain corn = 7 tonnes corn silage 1 tonne HMEC corn = 4 tonnes corn silage</p> | | |

13. Part XII - ELITE SEED POTATO PLAN of Schedule A of the regulations is amended

(a) in section 3, by the deletion of the words “test results must be submitted” and the substitution of the words “test results may be required to be submitted”;

(b) by the revocation of section 6 and the substitution of the following:

6. The probable yield for elite seed potatoes is determined by multiplying the probable yield figures for table and processing potatoes with the following factors, depending on the first date top-killer is applied or tops are chopped:

| Date of first top-killer application or when tops are chopped | Early varieties (70 - 110 days to maturity) | Medium varieties (110 - 120 days to maturity) | Late and very late varieties (120 - 140 days to maturity) |
|---|---|---|---|
| July 31 | 70% | 60% | 50% |
| August 1 | 71% | 61% | 51% |
| August 2 | 72% | 62% | 52% |
| August 9 | 80% | 70% | 60% |
| August 12 | 83% | 73% | 63% |
| August 15 | 85% | 75% | 65% |
| August 30 | 100% | 90% | 80% |
| September 9 | | 100% | 90% |
| September 19 | | | 100% |

(c) in section 8, by the addition of the words “2% or less PLVR and” after the words “test results show”;

(d) in section 10, by the deletion of the words “June 30” and the substitution of the words “August 15”;

(e) by the revocation of section 11 and the substitution of the following:

11. The potato tops on all acres of the insured crop which retain a seed classification of foundation or better by August 15 of the crop year must be completely dead on or before that date to qualify for quality adjustments due to post-harvest virus test results after that date.

(f) in section 12, by the deletion of the words “in section 8” and the substitution of the words “in section 9”.

14. Part XIII - ORGANIC CROPS of Schedule A of the regulations is amended

(a) in section 1, by the deletion of the words “Processing Peas” and the substitution of the words “organically grown crops”; and

(b) by the revocation of section 2 and the substitution of the following:

2. If an insured changes from producing crops using standard management practices to using organic management practices, the probable yield calculation will be adjusted as follows:

- (a) the benchmark yield for the crop will be reduced to 60% of the calculated benchmark yield for all new producers;
- (b) historic production to count for the insured will for the applicable crop group be adjusted to
 - (i) 50% of the originally recorded values for the applicable crop group if the insured's performance index is less than 50%,
 - (ii) 60% of the originally recorded values for the applicable crop group if the insured's performance index is greater than 50% but less than 75%,
 - (iii) 70% of the originally recorded values for the applicable crop group if the insured's performance index is greater than 75% but less than 100%,
 - (iv) 80% of the originally recorded values for the applicable crop group if the insured's performance index is greater than 100%.

15. Schedule A of the regulations is amended by the addition of the following after Part XVI:

Part XVII - CARROTS (Processing)

EXECUTIVE COUNCIL _____ 10 FEBRUARY 2004

This Schedule A Carrots Supplement forms an integral part of the CROP INSURANCE AGREEMENT and as such contains supplementary information specific to Carrots for Processing.

| DATE | TOPIC | REQUIREMENTS and/or EFFECTS |
|--|---|--|
| May 31 | Application deadline | |
| | Required deposit | 15 - 50% as per Section 13(2) |
| | Perils insured against | See Section 8 |
| | Approved varieties | Varieties as recommended by the processor and the Corporation |
| June 15 June 25 | Final Planting date | Probable yield reduced by 2% per day after June 15 Acres planted after June 25 are not eligible for insurance |
| | Stage I indemnity rate (30 days after planting) | Maximum indemnity is 30% of insured value (Section 23) |
| | Stage II indemnity rate (unharvested acres) FULL OFFSET between Stage II and Stage III | Maximum indemnity is a sliding scale from 40 to 60% of insured value (Section 24) |
| | Stage III indemnity rate (harvested crop) | Maximum indemnity equals the shortfall in production at the Unit Price (Section 25) |
| Nov 15 | Final date for harvest | Subsequent field losses are at the insured's risk |
| Dec 5 | Final date for filing PROOF of LOSS in writing | |
| <p>(1) For the purpose of calculating production to count, all quantities will be recorded in pounds net of cullage.</p> <p>(2) The insured's production will be adjusted by the Corporation based on records and delivery receipts from the processor.</p> <p>(3) Notwithstanding subsection 17(2)(a) of the regulations, the insured may elect 80% coverage if more than three consecutive years of field data have been provided.</p> | | |

Part XVIII - STRAWBERRIES

This Schedule A Strawberries Supplement forms an integral part of the CROP INSURANCE AGREEMENT and as such contains supplementary information specific to Strawberries.

1. The purpose of this plan is to provide insurance for strawberry plants damaged as a result of the following perils:
 - (a) winter injury or winter kill
 - (b) ice or snow damage
 - (c) late spring frost
 - (d) other perils as listed in Section 8 of the Crop Insurance Regulations.
2. The crop year for insurance for strawberries is the period from December 1 in any year to June 30 of the following year.
3. The application deadline for insurance for strawberries is November 30 prior to the start of the crop year.
4. For the purpose of production insurance, the insured will not receive a provincial benchmark but must supply production data for a minimum of two consecutive years immediately prior to the year production insurance is requested which will be used to determine the insured's probable yield.
5. For the purpose of this plan, Year 1 production is the acreage planted during the summer of the year prior to harvest and represents an insurance period from December 1 in the establishment year to June 30 of the following year. Year 2 and 3 production are the subsequent years following Year 1.
6. Actual planted acres of Year 1, 2 and 3 production shall be determined by the Corporation before the plants are covered, or by November 15, by taking into consideration the number of healthy strawberry plants per acre or hectare. Acres will be adjusted using a standard of 7 viable plants per 10 foot of row or 7,500 plants per acre.
7. In order to be eligible for winter kill protection:
 - (a) strawberry plants shall only be insured if they were planted from varieties approved for use in PEI and were planted before June 15 in the establishment year;
 - (b) all strawberry stands shall be inspected in the fall before they are covered with straw;
 - (c) plants must be covered with a straw cover before December 15 and this cover shall be adequate to completely cover the plants;
 - (d) crop cover must be removed from the plants by May 15 and must be done so viable and damaged plants can be identified;
 - (e) a Notice of Loss shall be filed as laid out in Section 19 of the Crop Insurance Regulations;
 - (f) the insured must notify the Corporation within five days of discovering damage from one or more of the insured perils;
 - (g) winter killed plants must be removed from the production stand, the insured shall notify the Corporation five days prior to the removal of such plants, and damaged plants shall be inspected by an agent of the Corporation before being removed.
8. In order to be eligible for blossom damage protection:
 - (a) strawberry plants must have survived the winter and be viable plants by May 15;
 - (b) plants must have blossom damage that occurred between May 15 and June 30 such that it removes the potential for fruit development or results in fruit that is misshapen or undeveloped and is thus unsaleable;

(c) the insured shall contact the Corporation when the damage occurs and shall allow the Corporation staff to evaluate the loss over the harvest period.

9. In order for the Corporation to offer insurance coverage for the above crop, there must be 25% of the total commercial strawberry acreage insured and there must be a minimum of 10 growers enrolled in a given year or the plan will be cancelled and any growers who had signed up will have their policy cancelled and premiums refunded.

| DATE | TOPIC | REQUIREMENTS and/or EFFECTS | | | | | | | | | | | | | | | | | | | | | |
|---|--|---|--------------------------|--------------------------|------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|------|----------------------|
| Nov 30 | Application deadline | Acres applied for are the acres intended for harvest the subsequent summer. Acres will consist of Established - Year 1, Year 2 and Year 3 production. | | | | | | | | | | | | | | | | | | | | | |
| July 31 | Required deposit | 15 - 50% as per Section 13(2) | | | | | | | | | | | | | | | | | | | | | |
| | Final payment | Final premium payments shall be made by July 31 | | | | | | | | | | | | | | | | | | | | | |
| | Perils insured against | See Section 8, plus winter injury, spring frost | | | | | | | | | | | | | | | | | | | | | |
| | Coverage | <p>Stage II Coverage Adjustments - Strawberry plants lost to winter kill: Plants identified as viable plants in the fall but are completely dead by June 1 are considered to be winter kill losses under this plan. Losses in Year 1, 2 and 3 production stands must be identified prior to blossom, or no later than June 5 and damaged plants must be removed from the stand.</p> <p>Blossom damage: Viable strawberry plants that survive the winter and set blossoms but receive damage to the blossoms such that fruit set is affected are covered under this plan. Losses to Year 1, 2 and 3 production stands must be identified prior to harvest or by June 30, whichever is earlier.</p> <p>Winter Kill: Maximum Indemnity Rate: Year 1 & 2 45% Year 3 25%</p> <p>AND</p> <p style="padding-left: 40px;">Adjustment Factors for plants lost:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Condition</u></th> <th style="text-align: right;"><u>Adjustment Factor</u></th> </tr> </thead> <tbody> <tr><td>95% to 100% plant loss</td><td style="text-align: right;">0.95</td></tr> <tr><td>85% to 95% plant loss</td><td style="text-align: right;">0.85</td></tr> <tr><td>75% to 85% plant loss</td><td style="text-align: right;">0.75</td></tr> <tr><td>65% to 75% plant loss</td><td style="text-align: right;">0.65</td></tr> <tr><td>55% to 65% plant loss</td><td style="text-align: right;">0.55</td></tr> <tr><td>45% to 55% plant loss</td><td style="text-align: right;">0.45</td></tr> <tr><td>35% to 45% plant loss</td><td style="text-align: right;">0.35</td></tr> <tr><td>25% to 35% plant loss</td><td style="text-align: right;">0.25</td></tr> <tr><td>15% to 25% plant loss</td><td style="text-align: right;">0.15</td></tr> <tr><td>5% to 15% plant loss</td><td style="text-align: right;">0.05</td></tr> </tbody> </table> | <u>Condition</u> | <u>Adjustment Factor</u> | 95% to 100% plant loss | 0.95 | 85% to 95% plant loss | 0.85 | 75% to 85% plant loss | 0.75 | 65% to 75% plant loss | 0.65 | 55% to 65% plant loss | 0.55 | 45% to 55% plant loss | 0.45 | 35% to 45% plant loss | 0.35 | 25% to 35% plant loss | 0.25 | 15% to 25% plant loss | 0.15 | 5% to 15% plant loss |
| <u>Condition</u> | <u>Adjustment Factor</u> | | | | | | | | | | | | | | | | | | | | | | |
| 95% to 100% plant loss | 0.95 | | | | | | | | | | | | | | | | | | | | | | |
| 85% to 95% plant loss | 0.85 | | | | | | | | | | | | | | | | | | | | | | |
| 75% to 85% plant loss | 0.75 | | | | | | | | | | | | | | | | | | | | | | |
| 65% to 75% plant loss | 0.65 | | | | | | | | | | | | | | | | | | | | | | |
| 55% to 65% plant loss | 0.55 | | | | | | | | | | | | | | | | | | | | | | |
| 45% to 55% plant loss | 0.45 | | | | | | | | | | | | | | | | | | | | | | |
| 35% to 45% plant loss | 0.35 | | | | | | | | | | | | | | | | | | | | | | |
| 25% to 35% plant loss | 0.25 | | | | | | | | | | | | | | | | | | | | | | |
| 15% to 25% plant loss | 0.15 | | | | | | | | | | | | | | | | | | | | | | |
| 5% to 15% plant loss | 0.05 | | | | | | | | | | | | | | | | | | | | | | |
| Stage II Coverage Adjustments - Determination of Loss | <p>Blossom Damage Maximum indemnity rate 30%</p> <p>AND</p> <p style="padding-left: 40px;">Adjustment factors for blossoms lost</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Condition</u></th> <th style="text-align: right;"><u>Adjustment Factor</u></th> </tr> </thead> <tbody> <tr><td>95% to 100% plant loss</td><td style="text-align: right;">0.85</td></tr> <tr><td>85% to 95% plant loss</td><td style="text-align: right;">0.75</td></tr> <tr><td>75% to 85% plant loss</td><td style="text-align: right;">0.65</td></tr> <tr><td>65% to 75% plant loss</td><td style="text-align: right;">0.55</td></tr> <tr><td>55% to 65% plant loss</td><td style="text-align: right;">0.45</td></tr> <tr><td>45% to 55% plant loss</td><td style="text-align: right;">0.35</td></tr> <tr><td>35% to 45% plant loss</td><td style="text-align: right;">0.25</td></tr> <tr><td>25% to 35% plant loss</td><td style="text-align: right;">0.15</td></tr> <tr><td>20% to 25% plant loss</td><td style="text-align: right;">0.05</td></tr> </tbody> </table> <p>Winter kill losses: The percentage of plants lost to winter kill will be calculated in the spring once the survival of the crop has been determined or by June 5, whichever is earlier.</p> <p>Blossom damage: Late spring damage to blossoms that affects fruit set are insurable losses. Only blossom damage to viable plants will be eligible and it must occur between May 15 and June 30 of the production year.</p> | <u>Condition</u> | <u>Adjustment Factor</u> | 95% to 100% plant loss | 0.85 | 85% to 95% plant loss | 0.75 | 75% to 85% plant loss | 0.65 | 65% to 75% plant loss | 0.55 | 55% to 65% plant loss | 0.45 | 45% to 55% plant loss | 0.35 | 35% to 45% plant loss | 0.25 | 25% to 35% plant loss | 0.15 | 20% to 25% plant loss | 0.05 | | |
| <u>Condition</u> | <u>Adjustment Factor</u> | | | | | | | | | | | | | | | | | | | | | | |
| 95% to 100% plant loss | 0.85 | | | | | | | | | | | | | | | | | | | | | | |
| 85% to 95% plant loss | 0.75 | | | | | | | | | | | | | | | | | | | | | | |
| 75% to 85% plant loss | 0.65 | | | | | | | | | | | | | | | | | | | | | | |
| 65% to 75% plant loss | 0.55 | | | | | | | | | | | | | | | | | | | | | | |
| 55% to 65% plant loss | 0.45 | | | | | | | | | | | | | | | | | | | | | | |
| 45% to 55% plant loss | 0.35 | | | | | | | | | | | | | | | | | | | | | | |
| 35% to 45% plant loss | 0.25 | | | | | | | | | | | | | | | | | | | | | | |
| 25% to 35% plant loss | 0.15 | | | | | | | | | | | | | | | | | | | | | | |
| 20% to 25% plant loss | 0.05 | | | | | | | | | | | | | | | | | | | | | | |
| Sept 3 | Notwithstanding subsection 20(1), this is the final date for filing PROOF of LOSS in writing. | | | | | | | | | | | | | | | | | | | | | | |

16. These regulations are deemed to have come into force on April 1, 2003.

EXPLANATORY NOTES

SECTION 1 amends the definition section to clarify the meaning of the concepts of “crop year” and “non-arm’s length relationship”. In addition, this section adds definitions related to the concept of a “performance index” for a group of crops.

SECTIONS 2 and 4 amend provisions listing insurable crops to include silage corn, carrots and strawberries.

SECTION 3 corrects a reference in a provision to the concept of a performance index.

SECTION 5 adds a provision indicating that an insurance agreement does not cover loss associated with any planted acreage in respect of which the insured contravened one or more specified Acts during the term of the agreement.

SECTION 6 changes the date by which the remainder of the premium is due and payable from July 31 to June 30 and clarifies when interest is payable on outstanding premiums.

SECTION 7 revises the limits on the amount of premium discounts or surcharges that may be calculated under the regulations.

SECTION 8 amends a provision of the regulations setting out the coverage levels of insurable crops to include coverage levels for apple trees, blueberries, carrots and strawberries.

SECTION 9 adds a reference to silage corn to a provision dealing with Stage I indemnity for corn and other crops.

SECTION 10 revises the table setting out the maximum insured value for Stage II indemnity to include silage corn, blueberries and strawberries and explains how indemnity at this Stage will be provided in respect of apple trees.

SECTION 11 moves back the final planting date for some potato varieties and increases the percentage of potatoes sold for processing that will be included in the production to count.

SECTION 12 replaces the existing Part X of Schedule A, respecting Grain Corn, for the purpose of making minor wording corrections and adds a new Part respecting Silage Corn.

SECTION 13 makes amendments to Part XII of Schedule A in respect of the factors used to calculate the probable yield for seed potatoes.

SECTION 14 makes amendments to Part XIII of Schedule A in respect of the calculation of the probable yield for organically grown crops.

SECTION 15 adds Parts to Schedule A setting out a supplement forming an integral part of the crop insurance agreement for carrot and strawberry crops.

SECTION 16 provides for the commencement of these regulations.

EC2004-84

**CIVIL SERVICE ACT
CLASSIFICATION APPEAL COMMITTEE
APPOINTMENTS**

Pursuant to section 17 of the Civil Service Act Regulations (EC709/83)
Council made the following appointments:

| NAME | TERM OF APPOINTMENT |
|-------------|----------------------------|
|-------------|----------------------------|

via clause 17(3)(a),
as member nominated by the employer

| | |
|--------------------------------|--------------|
| John Picketts | 9 April 2004 |
| Office of the Attorney General | to |
| (reappointed) | 9 April 2006 |

as alternate member nominated by the employer

| | |
|--------------------------------------|------------------|
| Mary Kinsman | 10 February 2004 |
| Department of Environment and Energy | to |
| (vice Beth Gaudet, term expired) | 31 January 2006 |

via clause 17(3)(b),
as member nominated by the Union

| | |
|-----------------------------------|-----------------|
| Brenda Walker | 9 April 2003 |
| Provincial Health Services Agency | to |
| (reappointed) | 31 January 2006 |

as alternate member nominated by the Union

| | |
|---|------------------|
| Marsha Carrier | 10 February 2004 |
| Department of Agriculture, Fisheries, Aquaculture and Forestry | to |
| (vice Bernard Reeves, term expired) | 31 January 2006 |

via clause 17(3)(c),
as chairperson

| | |
|---------------------------------|------------------|
| Mary Beth Parsons | 10 February 2004 |
| Department of Tourism | to |
| (vice John Bruce, term expired) | 31 January 2006 |

as alternate chairperson

| | |
|--|-----------------|
| Teresa Hennebery | 15 May 2003 |
| Department of Health and Social Services | to |
| (reappointed) | 31 January 2006 |

EC2004-85

**ELECTRIC POWER ACT
CITY OF SUMMERSIDE ELECTRIC UTILITY EXEMPTION
REGULATIONS**

Pursuant to section 46 of the *Electric Power Act* R.S.P.E.I. 1988, Cap. E-4, Council made the following regulations:

- | | |
|--|------------------|
| 1. In these regulations | Definitions |
| (a) "Act" means the <i>Electric Power Act</i> R.S.P.E.I. 1988, Cap. E-4; | Act |
| (b) "utility" means the City of Summerside electric utility; | utility |
| (c) "outside customer" means a customer of the utility who is located outside the boundaries of the City of Summerside. | outside customer |
| 2. The utility is exempted from sections 10, 11, 12, 13, 15, 17, 19, 20, 21, 21.1, 22, 23, 24, and 25 of the Act if the utility complies with the following terms and conditions: | Exemption |
| (a) the utility shall, by March 31 of each calendar year, file with the Commission its audited financial statements for the immediately preceding calendar year; | |
| (b) the utility shall, before charging new rates, tolls and charges, file with the Commission a copy of the new rates, tolls and charges; | |
| (c) the utility shall not charge outside customers any rates, tolls and charges that exceed the rates, tolls and charges that the utility charges customers located inside the boundaries of the City of Summerside; | |
| (d) the utility shall, within 30 days of the coming into force of this section, file with the Commission all of the rules and regulations relating to the kind of service to be supplied to outside customers and the manner by which the service shall be supplied; | |
| (e) the utility shall, before changing the rules and regulations relating to the kind of service to be supplied to outside customers and the manner by which the service shall be supplied, file with the Commission all of the new rules and regulations; | |
| (f) the utility shall file with the Commission only rules and regulations for outside customers that are the same as those that apply to customers located inside the boundaries of the City of Summerside; | |
| (g) the utility shall comply with the rules and regulations most recently filed with the Commission in accordance with clause (d) or (e). | |
| 3. The <i>Electric Power and Telephone Act</i> City of Summerside Electric Utility Exemption Regulations (EC594/01) are revoked. | Revocation |
| 4. These regulations come into force on February 21, 2004. | Commencement |

EXPLANATORY NOTES

These regulations exempt the City of Summerside electric utility from certain provisions of the Act if the utility complies with the terms and conditions specified. These regulations replace the current exemption regulations. The utility is subjected to fewer terms and conditions under these new regulations. For this reason, and because of the repeal of the *Maritime Electric Company Limited Regulation Act*, the utility is exempted from fewer provisions of the *Electric Power Act* under these new regulations.

EC2004-86

EXECUTIVE COUNCIL ACT
 MINISTER OF TRANSPORTATION AND PUBLIC WORKS
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (DISCLOSURE OF INFORMATION THROUGH
 REGISTRAR OF MOTOR VEHICLES)
 WITH
 THE WAR AMPUTATIONS OF CANADA

Pursuant to clause 10(d) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Transportation and Public Works to enter into an agreement with The War Amputations of Canada to set out the terms and conditions whereby the Registrar of Motor Vehicles may provide the names and addresses of vehicle owners for the exclusive purpose of allowing The War Amputations of Canada to conduct its key return service (Key Tag Service), such as more particularly described in the draft agreement.

EC2004-87

GRAIN ELEVATORS ACT
 PRINCE EDWARD ISLAND GRAIN ELEVATORS CORPORATION
 APPOINTMENTS

Pursuant to subsection 2(2) of the *Grain Elevators Corporation Act* R.S.P.E.I. 1988, Cap. G-5 Council made the following appointments:

| NAME | TERM OF APPOINTMENT |
|--------------------------------------|----------------------------|
| Harris Callaghan | 10 February 2004 |
| Miminegash | to |
| (vice Leonard Carver, term expired) | 10 February 2007 |
| Emmerson McMillan | 10 February 2004 |
| Ascension | to |
| (vice Herbert Pridham, term expired) | 10 February 2007 |

Further, in accordance with subsection 2(3) of the said Act, Council designated John Bagnall of Hazel Grove to continue serving as secretary-treasurer for the balance of his term as a member, expiring 22 October 2005, and noted with approval that Mr. Bagnall has served in this position since the expiry of his initial term as secretary-treasurer on 4 May 2003.

EC2004-88**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 C-3, LOCAL (CLASS 3) HIGHWAYS of the *Roads Act* Highway Access Regulations (EC580/95) is amended by the addition of the following after subsection 1(463.1):

(463.2) **Trainor Road RI23030:** The Trainor Road commencing at the intersection of MacAdam Road RI23029 in the settlement of West St. Peters for a distance of .230 km.

2. These regulations come into force on February 21, 2004.

EXPLANATORY NOTES

Trainor Road is a public road and when schedules accompanying the *Roads Act* Highway Access Regulations were originally compiled, the road was inadvertently left off. Designating Trainor Road as Class C-3 local unpaved road will allow for residential development along 0.230 km of this road.

EC2004-89**PRINCE EDWARD ISLAND LANDS PROTECTION ACT
EXEMPTION REGULATIONS
AMENDMENT**

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

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

24. The following properties being acquired by the Morell Lions Club Inc., located in Morell and totalling approximately 13.75 acres, are exempt from the application of section 5 of the Act:

(a) approximately 10.75 acres, being Provincial Property Number 182956;

(b) approximately 3.0 acres, being a portion of Provincial Property Number 618751.

2. These regulations come into force on February 21, 2004.

EXPLANATORY NOTES

These regulations exempt the properties listed from section 5 of the *Prince Edward Island Lands Protection Act*.

EC2004-90

SOCIAL ASSISTANCE ACT
AND
FINANCIAL ADMINISTRATION ACT
GENEVIEVE SCANLAN
WAIVER OF PAYMENT
AND
CANCELLATION OF DEBT

Having under consideration the recommendation of the Minister of Health and Social Services pursuant to clause 6.1(4)(c) of the *Social Assistance Act*, R.S.P.E.I. 1988, Cap. S-4.3, Council authorized the cancellation of debt in the amount of \$10,694.86 owed by Genevieve Scanlan in accordance with subsection 26(1) of the of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 as follows:

| Outstanding Account for Cost of Subsidized Care | Partial Payment Approved | Balance Cancelled |
|--|-------------------------------------|------------------------------|
| \$17,967.47 | \$7,272.61 | \$10,694.86 |

EC2004-91

NATURAL PRODUCTS MARKETING ACT
NATURAL PRODUCTS APPEALS TRIBUNAL
TEMPORARY APPOINTMENT

Having under consideration clause 20(e) of the *Interpretation Act* R.S.P.E.I. 1988, Cap. I-8 and under authority of subsection 18(1) of the *Natural Products Marketing Act* R.S.P.E.I. 1988, Cap. N-3 Council appointed Bill MacFadyen of Augustine Cove to serve as a member of the Natural Products Appeals Tribunal during the hearing of appeals of two decisions of the Prince Edward Island Hog Commodity Board filed with the tribunal

- (a) January 16, 2004, and
- (b) January 20, 2004.

Further, Council noted with approval the agreement of tribunal member Colbourne Clow of Freetown to chair the said appeal hearings in the absence due to possible conflict of interest, of chairperson Donald MacDonald of Blooming Point.