

**EC2006-623**

EXECUTIVE COUNCIL ACT  
 MINISTER OF AGRICULTURE, FISHERIES AND AQUACULTURE  
 AUTHORITY TO ENTER INTO AN AGREEMENT  
 (MEMORANDUM OF UNDERSTANDING  
 TO ADDRESS THE IMPACT OF TUNICATE INFESTATIONS  
 ON THE CULTURED MUSSEL INDUSTRY ON  
 PRINCE EDWARD ISLAND)  
 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 Agriculture, Fisheries and Aquaculture to enter into a memorandum of understanding with the Government of Canada, as represented by the Minister of Fisheries and Oceans, to set out terms and conditions for administration of funding support to the aquaculture industry for the development of new and innovative equipment and management approaches to address the effects of tunicate infestations on the cultured mussel industry on Prince Edward Island, such as more particularly described in the draft agreement.

**EC2006-624**

FINANCIAL ADMINISTRATION ACT  
 SPECIAL WARRANT  
 (SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2006-07)  
 DEPARTMENT OF AGRICULTURE, FISHERIES AND AQUACULTURE

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 for the Department of Agriculture, Fisheries and Aquaculture as follows:

<b>Account Class</b>	<b>Account Name</b>	<b>Amount</b>
	<b>FISHERIES AND AQUACULTURE</b>	
	<b>Aquaculture</b>	
0435-04299	Grants – Miscellaneous	<u>\$160,000.00</u>

Further, Council noted that this amount will be fully offset by revenue from the federal government under the terms of the Memorandum of Understanding to Address the Impact of Tunicate Infestations on the Cultured Mussel Industry on Prince Edward Island.

**EC2006-625**

LEGISLATIVE ASSEMBLY  
(FOURTH SESSION, SIXTY-SECOND GENERAL ASSEMBLY)  
PROCLAMATION TO CONVENE

Council ORDERED that the Legislative Assembly of this Province be called to meet for the Despatch of Business on Thursday, the 16<sup>th</sup> day of November A.D. 2006 at the hour of three o'clock in the afternoon and that a proclamation be issued forthwith.

**EC2006-626**

POLICE ACT  
PROVINCIAL POLICE CONSTABLE  
APPOINTMENT

Pursuant to section 6 of the *Police Act* R.S.P.E.I. 1988, Cap. P-11 Council authorized the following person to exercise the powers of a provincial police constable:

<b>NAME</b>	<b>TERM OF APPOINTMENT</b>
Matthew Luck	31 October 2006 at pleasure

Further, Council ordered that, should the aforementioned person cease to be employed as a police officer with the Borden-Carleton Police Service, his appointment as a provincial police constable shall terminate coincident with the date his employment as a police officer with the Borden-Carleton Police Service is terminated.

**EC2006-627**

ROADS ACT  
HIGHWAY ACCESS REGULATIONS  
COMMERCIAL OPERATION  
DETERMINATION

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

- (a) a restaurant to be established on Provincial Property No. 130237 at Scotchfort, Lot 36, Queens County, constitutes a change of use for this property, and
- (b) establishment of this commercial operation adjacent to Route 2 at Scotchfort is in the best interest of the province.

## EC2006-628

**WILDLIFE CONSERVATION ACT  
REGULATIONS  
AMENDMENT**

Pursuant to subsection 25(2) and section 28 of the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1, Council made the following regulations:

**1. The *Wildlife Conservation Act* Regulations (EC676/98) are amended by the revocation of the Introduction and the substitution of the following:**

Pursuant to subsection 25(2) and section 28 of the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1, Council made the following regulations:

**2. The regulations are amended**

- (a) by renumbering section 1 as section 1.1; and
- (b) by the addition of the following before section 1.1:

1. In these regulations, "Act" means the *Wildlife Conservation Act* Act, defined R.S.P.E.I. 1988, Cap. W-4.1.

**3. Section 1.1 of the regulations is amended by the addition of the following after subsection (5):**

- (6) No person shall
  - (a) hunt with a firearm; Prohibition *re* firearm
  - (b) obtain or attempt to obtain a license to hunt; or
  - (c) possess a license to hunt,

where there is a prohibition in place relating to the possession or use of a firearm by the person.

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

6. Where any person is convicted of an offence pursuant to clauses 19(1)(c), (f), (g), (i) or (n) of the Act, and the person used property in respect of the commission of the offence, the property shall be seized by a conservation officer and be automatically forfeited to Her Majesty in right of the province upon conviction. Automatic forfeiture

**5. These regulations come into force on November 11, 2006.**

**EXPLANATORY NOTES**

The amendment defines the Act. A prohibition is added against hunting with a firearm or obtaining, attempting to obtain or possessing a license to hunt by a person in circumstances where the person is prohibited from possessing or using a firearm. The amendment outlines offence provisions in the Act that result, upon conviction, in automatic forfeiture of seized property.