

**EC2010-657**

CORONERS ACT  
 APPOINTMENT OF CORONER  
 DR. GRANT MATHESON  
 (APPOINTMENT)

Under authority of section 4 of the *Coroners Act* R.S.P.E.I. 1988, Cap. C-25.1, Council appointed Dr. Grant Matheson of Stratford, Queens County, to serve at pleasure as a coroner for Prince Edward Island, effective December 7, 2010.

**EC2010-658**

DISPENSING OPTICIANS ACT  
 BOARD OF DISPENSING OPTICIANS  
 APPOINTMENTS

Pursuant to section 2 of the *Dispensing Opticians Act* R.S.P.E.I. 1988, Cap. D-12 Council made the following appointments:

<b>NAME</b>	<b>TERM OF APPOINTMENT</b>
Allan Callaghan Charlottetown (reappointed)	7 December 2010 to 7 December 2012
Johanne Irwin Charlottetown (reappointed)	7 December 2010 to 7 December 2012
Alan Joseph Summerside (reappointed)	7 December 2010 to 7 December 2012
Lauralee MacQuarrie Charlottetown (vice John MacLeod, term expired)	7 December 2010 to 7 December 2012
Dr. Gerald O'Hanley Charlottetown (reappointed)	7 December 2010 to 7 December 2012

## EC2010-659

**ELECTRICAL INSPECTION ACT  
REGULATIONS  
AMENDMENT**

Pursuant to section 5 of the *Electrical Inspection Act* R.S.P.E.I. 1988, Cap. E-3, Council made the following regulations:

**1. Section 1 of the *Electrical Inspection Act* Regulations (Aug.1/40) is amended**

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

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

(c) by the revocation of clause (k);

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

(j.1) “contractor’s license” means a contractor’s license issued under subsection 5(1.1); contractor’s license

(j.2) “contractor’s restricted license” means contractor’s restricted license issued under section 6.1; contractor’s  
restricted license

(e) by the revocation of clause (n) and the substitution of the following:

(n) “Minister” means the Minister responsible for the administration of the Act; Minister

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

2. (1) No contractor shall install or cause the installation of an electrical installation, and no person shall sell or offer for sale an electrical installation, that is not approved as defined in the Code. Installation or sale  
of electrical  
installations

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

(2) Notwithstanding the approval under the Code of an electrical installation, no contractor shall install or cause the installation of the electrical installation, and no person shall sell or offer to sell the electrical installation, if *Idem*

(a) an inspector is at any time is of the opinion that the electrical installation does not comply with the Code; and

(b) the inspector has given notice in writing to the contractor or person that

(i) the electrical installation does not, in the inspector’s opinion, comply with the Code, and

(ii) the installation or causing the installation of, or the sale of or offering to sell, the electrical installation is prohibited on receipt of the notice.

**(3) Subsection 2(3) of the regulations is amended by the deletion of the words “or accepted”.**

**3. (1) Subsection 5(1) of the regulations is amended by the deletion of the words “person holds a contractor’s license issued under subsection (1.1)” and the substitution of the words “contractor holds a contractor’s license”.**

**(2) Subsection 5(2) of the regulations is revoked and the following substituted:**

(2) In order to qualify for a contractor’s license, the applicant must Qualifications

(a) be a certified electrician; and

(b) have

- (i) a minimum of two years experience in electric construction wiring after becoming a certified electrician, or
- (ii) successfully completed an exam approved by the Minister respecting electrical construction wiring.

**(3) Subsection 5(10) of the regulations is revoked and the following substituted:**

(10) A contractor who holds a contractor's license shall ensure that it is posted up in the administration office of the contractor. Posting of license

**(4) Subsection 5(11) of the regulations is amended by the deletion of the words "issued under this section".**

**4. Clause 6.2(1)(b) of the regulations is amended**

- (a) by the deletion of the word "or" after subclause (i);**
- (b) in subclause (ii), by the deletion of the period and the substitution of the words ", or"; and**
- (c) by the addition of the following after subclause (ii):**
  - (iii) has successfully completed a home inspection program certified by the Canadian Home Inspection Association or any other recognized organization that is acceptable to the Senior Electrical Inspector.

**5. Subsection 17(1) of the regulations is amended by the deletion of the words "the inspection of such inspector" and the substitution of the words "inspection at the discretion of the inspector".**

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

**7. These regulations come into force on February 28, 2011.**

## SCHEDULE

### SCHEDULE 5 RESTRICTED AREAS OF ELECTRICAL WORK

The prescribed areas of restricted electrical work for the purposes of these regulations are the following:

- (a) the installation, maintenance and repair of electrical signs;
- (b) the installation, maintenance, testing and repair of alarm systems, nurses call systems and similar systems;
- (c) the maintenance and repair of the electrical components of gas or oil burning equipment;
- (d) the maintenance, repair and replacement of the electrical components of refrigeration equipment;
- (e) the installation, maintenance, testing, and repair of communication systems, and the electrical components thereof, that have a capacity of 50 volts or less;
- (f) the installation, maintenance and testing of the electrical components and wiring that are required for HVAC systems, or similar systems, and that have a capacity of 50 volts or less;
- (g) the installation of a swimming pool grounding system;
- (h) the installation of the set-up wiring and grounding systems for travelling shows and fairs, including such wiring and systems for any amusement rides and concessions operated at such shows and fairs;
- (i) the maintenance and repair of the electrical components of deep well pumps that have a capacity of 240 volts or less and the installation of electrical conduits for such pumps;

(j) the electrical evaluation by a qualified Home Inspector of a dwelling with a service entrance not to exceed 200 amps;

(k) the testing for energy efficiency and for the carrying-out of planned maintenance, quality control and trouble shooting of electrical systems and components.

#### EXPLANATORY NOTES

**SECTION 1** amends the definition provision of the regulations to drop definitions that are no longer needed and to add definitions for terms that are used in the regulations.

**SECTION 2** rewrites two existing provisions to clarify when the sale or installation of electrical installations is prohibited.

**SECTION 3** substitutes the word “contractor”, which is defined with a very wide scope of meaning, for the word “person”, which has a more limited scope of meaning. The section also permits an applicant to be issued a contractor’s license without the currently required two years of experience if the applicant has successfully completed an exam approved by the Minister. And the section requires a contractor who holds a contractor’s license to ensure that it is posted in his or her administration office.

**SECTION 4** adds an alternative requirement to the provision providing for the issuance of a registered technician’s permit. The section indicates that a permit may be issued if the applicant has, in addition to a required amount of experience, successfully completed a home inspection program certified by the Canadian Home Inspection Association or any other recognized organization that is acceptable to a Senior Electrical Inspector.

**SECTION 5** makes a wording change to make it clear that the inspection of any electrical installation after work is completed is at the discretion of the inspector who is given notice of the work.

**SECTION 6** revokes and replaces the restricted areas of electrical work Schedule in the regulations.

**SECTION 7** provides for the commencement of these regulations.

#### EC2010-660

EXECUTIVE COUNCIL ACT  
MINISTER OF AGRICULTURE  
AUTHORITY TO ENTER INTO AN AGREEMENT  
(AMENDMENT NO. 1 TO THE AGRIFLEXIBILITY 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 Agriculture to enter into an agreement with the Government of Canada, as represented by the Minister of Agriculture and Agri-Food, to amend the Renewable Energy Initiative component of the AgriFlexibility Agreement to include geothermal technology and permit inclusion of additional energy sources approved by the Bilateral Management Committee, such as more particularly described in the draft agreement.

**EC2010-661**

EXECUTIVE COUNCIL ACT  
 MINISTER OF ENVIRONMENT, ENERGY AND FORESTRY  
 AUTHORITY TO ENTER INTO AN AGREEMENT  
 (THE CANADIAN HERITAGE RIVERS SYSTEM CHARTER)

Pursuant to clauses 10(a) and (b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Environment, Energy and Forestry to sign The Canadian Heritage Rivers System Charter which sets out a framework for cooperation between Canada and participating Provinces and Territories for the period 1 April 2011 to 1 April 2031, to recognize, conserve and manage, in a sustainable manner, Canada's designated heritage rivers, such as more particularly described in the charter document.

**EC2010-662**

FINANCIAL ADMINISTRATION ACT  
 CERTAIN ACCOUNTS RECEIVABLE OF  
 DEPARTMENT OF COMMUNITY SERVICES, SENIORS AND LABOUR  
 AUTHORITY TO WRITE-OFF

Pursuant to subsection 26.1(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council authorized the write-off of certain accounts receivable of the Department of Community Services, Seniors and Labour (Prince Edward Island Housing Corporation) totalling \$5,681.00 including interest to 30 September 2010.

Further, Council noted that this amount is partly offset by provision for doubtful accounts in the Department of Community Services, Seniors and Labour.

**EC2010-663**

LEGAL PROFESSION ACT  
 QUEEN'S COUNSEL  
 APPOINTMENT  
 OF  
 TRACEY L. CLEMENTS

Council, pursuant to subsection 34(1) of the *Legal Profession Act* R.S.P.E.I. 1988, Cap. L-6.1 ordered that Letters Patent under the Great Seal of the Province be issued to appoint Tracey L. Clements of Mermaid, Prince Edward Island, as Her Majesty's Counsel learned in the law of Prince Edward Island, effective 7 December 2010.

**EC2010-664**

LEGAL PROFESSION ACT  
 QUEEN'S COUNSEL  
 APPOINTMENT  
 OF  
 SHERRY E. GILLIS

Council, pursuant to subsection 34(1) of the *Legal Profession Act* R.S.P.E.I. 1988, Cap. L-6.1 ordered that Letters Patent under the Great Seal of the Province be issued to appoint Sherry E. Gillis of Canoe Cove, Prince Edward Island, as Her Majesty's Counsel learned in the law of Prince Edward Island, effective 7 December 2010.

**EC2010-665**

LEGAL PROFESSION ACT  
 QUEEN'S COUNSEL  
 APPOINTMENT  
 OF  
 KIM M. MCNEILL

Council, pursuant to subsection 34(1) of the *Legal Profession Act* R.S.P.E.I. 1988, Cap. L-6.1 ordered that Letters Patent under the Great Seal of the Province be issued to appoint Kim M. McNeill of Stratford, Prince Edward Island, as Her Majesty's Counsel learned in the law of Prince Edward Island, effective 7 December 2010.

**EC2010-666**

LIQUOR CONTROL ACT  
 PRINCE EDWARD ISLAND LIQUOR CONTROL COMMISSION  
 APPOINTMENT

Pursuant to section 4 of the *Liquor Control Act* R.S.P.E.I. 1988, Cap. L-14 Council made the following appointment:

<b>NAME</b>	<b>TERM OF APPOINTMENT</b>
Frank Lewis York (vice Ralph Billard, term expired)	7 December 2010 to 7 December 2013

**EC2010-667**

REGISTERED NURSES ACT  
 NURSE PRACTITIONER REGULATIONS  
 NURSE PRACTITIONER DIAGNOSTIC  
 AND THERAPEUTICS COMMITTEE  
 APPOINTMENT

Pursuant to clause 8(2)(f) of the *Registered Nurses Act* Nurse Practitioner Regulations (EC91/06), Council recommends the following be reappointed as a member of the Nurse Practitioner Diagnostic and Therapeutics Committee:

<b>NAME</b>	<b>TERM OF APPOINTMENT</b>
Gail MacNutt Charlottetown	2010-2012

EXECUTIVE COUNCIL \_\_\_\_\_ 7 DECEMBER 2010

**EC2010-668**

UNIVERSITY ACT  
UNIVERSITY OF PRINCE EDWARD ISLAND  
FINANCIAL STATEMENTS  
(APRIL 30, 2010)  
RECEIVED

Council received the University of Prince Edward Island Financial Statements for the year ended 30 April 2010 presented pursuant to subsection 19(1) of the *University Act* R.S.P.E.I. 1988, Cap. U-4.