EC2004-264

AUDIT ACT
AUDITOR GENERAL
SPECIAL ASSIGNMENT

Under authority of clause 14(d) of the Audit Act R.S.P.E.I. 1988, Cap. A-24 Council requested that the Auditor General undertake a review of government financial support to Polar Foods International Inc., along with steps taken by government throughout its relationship with the company, to protect the interests of taxpayers. The Auditor General is requested to consider government’s management of events leading to the acquisition and subsequent sale of the company assets, and any other aspect of any transaction between government and any of the parties involved in the foregoing.

EC2004-265

DRUG COST ASSISTANCE ACT
REGULATIONS
AMENDMENT

Pursuant to section 7 of the Drug Cost Assistance Act R.S.P.E.I. 1988, Cap. D-14, Council made the following regulations:

1. Clause 5(2)(b) of the Drug Cost Assistance Act Regulations (EC511/97) is amended by the deletion of the words “$10” and the substitution of the words “$11”.

2. These regulations come into force on June 1, 2004.

EXPLANATORY NOTES

This amendment increases the co-payment requirement under the Plan by one dollar.

EC2004-266

EMERGENCY 911 ACT
REGULATIONS
AMENDMENT

Pursuant to section 10 of the Emergency 911 Act R.S.P.E.I. 1988, Cap. E-5.1, Council made the following regulations:

1. Section 1 of the Emergency 911 Act Regulations (EC155/00) is amended

(a) by renumbering clause (a) as clause (b);
(b) in clause (b) as renumbered, by the deletion of the words “private road” and the substitution of the words “private roadway”; and

(c) by the addition of the following:

(a) “civic number sign” means the sign required by these regulations for the display of the civic number that is assigned by the Minister under subsection 3(2) of the Act as part of the civic address of a property;

2. Subsection 4(1) of the regulations is amended by the deletion of the words “private road naming authority” and the substitution of the words “private roadway naming authority”.

3. Section 5 of the regulations is amended by the deletion of the words “include the word “private”” and the substitution of the words “include the words “PRIVÉ/PRIVATE””.

4. Section 6 of the regulations is amended by the deletion of the words “Schedule A” and the substitution of the words “Schedule 1”.

5. The regulations are amended by the addition of the following after section 7:

8. Every property owner in the province who is assigned a civic address by the Minister under subsection 3(2) of the Act shall

(a) ensure that the number of the civic address of the property is displayed on a sign that conforms with the design, display and placement specifications as set out in Schedule 2 of these regulations; and

(b) remove, or take reasonable measures to remove, any obstruction on the property that prevents the civic number sign required under clause (a) from being seen from any road giving access to the property.

9. No person shall

(a) place a civic number sign or post and sign combination within the right-of-way of any roadway or highway; or

(b) remove or cause damage to any sign required to be displayed by these regulations or the Act.

6. Schedule A to the regulations is revoked and the Schedule as set out in the Schedule to these regulations is substituted.


SCHEDULE

SCHEDULE 1

DESIGN, DISPLAY AND PLACEMENT STANDARDS FOR PRIVATE ROADWAY SIGNS

WOODEN SIGNS

1. (1) The physical properties for a wooden sign panel, lettering, and post shall be as follows:

(a) panel material shall be a minimum of 5/8 inch thick exterior MDO/GIS plywood;

(b) panel size shall be 20.32 cm or 8 inches high x (overall length varies with the number of characters) and have a minimum length of 61 cm or 24 inches;

(c) panel preparation shall be one coat of a green, oil-based primer covering all edges and both sides (CIL Exterior, oil base #9241, green, or equivalent quality and colour);

(d) panel finish shall be two coats of an oil-based finish covering all edges and both sides (CIL Exterior, oil base #19426, colour #29, emerald green, or equivalent quality and colour);
(e) lettering (including road name and suffix) shall be 7.62 cm or 3 inches upper case/6.35 cm or 2.5 inches lower case, reflective, engineer-grade 3M (or equivalent) sheeting;
(f) the words “PRIVÉ/PRIVATE” shall be 3.81 cm or 1.5 inches upper case engineer-grade 3M (or equivalent) sheeting, font style “Highway C”, reflective white;
(g) the post to which a panel is affixed shall be 10.16 cm x 10.16 cm or 4 inches x 4 inches pressure-treated wood (or suitable equivalent material), painted white.

(2) Wooden signs shall look like Diagram 1, below:

![Diagram 1]

CH CHURCHILL RD
PRIVÉ/PRIVATE

(3) The standards for wooden sign display shall be as follows:
(a) the road name display and format shall comply with Diagram 1 above;
(b) where applicable, the sign plates shall be placed on opposite sides of the post so as to be visible from vehicles approaching the road from either direction;
(c) the sign post and sign shall be placed on the right side of the private roadway as a vehicle approaches the public road;
(d) the sign post shall be placed at the right-of-way of the public road as it intersects with the private road;
(e) the sign post shall be not less than 3 m or 10 feet and not more than 3.65 m or 12 feet from the edge of the travelled portion of the private road;
(f) the height of the sign, relative to the centreline grade of the public road (or the respective road of greater importance as determined by the private roadway naming authority) shall be a minimum of 2.43 m or 8 feet above grade and a maximum of 3 m or 10 feet above grade;
(g) the words “PRIVÉ/PRIVATE”, in upper-case characters, shall be below the road name to indicate the road is private and not public;
(h) the road name signage material shall not be affixed to any material other than a material prescribed by these regulations.

METAL SIGNS

2. (1) The physical properties for a metal sign panel, lettering, and post shall be as follows:
(a) panel material shall be a substrate material of 1/4 inch aluminum flatbar 6061-T6 with minimum yield strength of 37,500 psi;
(b) panel size shall be 20.32 cm or 8 inches high x (overall length varies with the number of characters) and have a minimum length of 61 cm or 24 inches;
(c) panel preparation shall include degreasing and etching to promote adhesion of reflective materials;
(d) panel finish shall be Level II green, engineer-grade reflective sheeting (Scotchlite #3275), colour CIL # 19426;
(e) lettering (including road name and suffix) shall be 7.62 cm or 3 inches upper case/6.35 cm or 2.5 inches lower case, Level II silver or white, engineer-grade reflective sheeting (Scotchlite #3260);
(f) the words “PRIVÉ/PRIVATE” shall be in 3.81 cm or 1.5 inches upper-case characters, font style “Highway C”;
(g) the post to which a panel is affixed shall be 10.16 cm x 10.16 cm or 4 inches x 4 inches pressure-treated wood (or suitable equivalent material), painted white;
(h) the attachment clip shall be an aluminum angle bracket, attached to the bottom centre of the panel and pre-drilled for attachment to the top of the post.
(2) Metal signs shall look like Diagram 2, below:

**DIAGRAM 2**

![Diagram showing CH Churchill Rd and PRIVÉ/PRIVATE]

(3) The standards for metal sign display shall be as follows:
(a) the road name display and format shall comply with Diagram 2 above;
(b) the sign plate shall be mounted atop the post so as to be visible from vehicles approaching the road from either direction;
(c) the sign post and sign shall be placed on the right side of the private roadway as a vehicle approaches the public road;
(d) the sign post shall be placed at the right-of-way of the public road as it intersects with the private road;
(e) the sign post shall be not less than 3 m or 10 feet and not more than 3.65 m or 12 feet from the edge of the travelled portion of the private road;
(f) the height of the sign, relative to the centreline grade of the public road (or the respective road of greater importance as determined by the private roadway naming authority) shall be a minimum of 2.43 m or 8 feet above grade and a maximum of 3 m or 10 feet above grade;
(g) the words “PRIVÉ/PRIVATE”, in upper-case characters, shall be below the road name to indicate the road is private and not public;
(h) the road name signage material shall not be affixed to any material other than a material prescribed by these regulations.

**SCHEDULE 2**

**DESIGN, DISPLAY AND PLACEMENT STANDARDS FOR CIVIC NUMBER SIGNS**

1. (1) The physical properties for a civic number sign panel shall be as follows:
(a) panel material shall be of .049 inch thickness aluminum or equivalent;
(b) panel shall have 1/2 inch radius corners;
(c) panel shall have two 1/4 inch holes top and bottom, centred 1/2 inch on horizontal centre-line of plate;
(d) panel shall be finished on one side only;
(e) panel finish shall have a blue, engineer-grade reflective background;
(f) numbering shall be white, engineer-grade reflective sheeting;
and
(g) numeral size shall be 4 inch, font style “Highway D”.

(2) The size of a civic number sign panel shall measure as follows:
(a) 12.7 cm or 5 inches high x 20.32 cm or 8 inches wide, where the sign has 1 digit or 2 digits;
(b) 12.7 cm or 5 inches x 30.48 cm or 12 inches, where the sign has 3 digits;
(c) 12.7 cm or 5 inches x 35.5 cm or 14 inches, where the sign has 4 digits; or
(d) 12.7 cm or 5 inches x 40.64 cm or 16 inches, where the sign has 5 digits.

(3) Where the main building or structure on a property is located within 50 feet of the roadway from which the property is accessed by a driveway or lane, the civic number sign for the property shall be attached to the dwelling or structure in such a manner as to be clearly visible from the roadway or highway end of the driveway or lane.
(4) Where the main building or structure on a property is located more than 50 feet from the front property line, the civic number sign for the property shall be located on a post, and the post and sign combination shall
   (a) be placed on the property so as to be clearly visible from the roadway or highway; and
   (b) not be placed in the right-of-way of any roadway or highway.

EXEMPLARY NOTES

The amendments clarify that the words “PRIVÉ/PRIVATE” must be used on every approved private roadway name or sign, specify the physical properties of a wooden or metal sign, the colours to be used, the road name display and format, and outline the requirements for a civic number sign. The amendments also provide Schedules for the design, display and placement standards for signs for private roadways and civic address number signs.

EC2004-267

EMPLOYMENT STANDARDS ACT

EMPLOYMENT STANDARDS RECIPROCITY ORDER AMENDMENT

Pursuant to section 42 of the Employment Standards Act R.S.P.E.I. 1988, Cap. E-6.2, Council made the following order:

1. The Employment Standards Act Employment Standards Reciprocity Order (EC810/95) is amended by the addition of the following after section 6:

7. (1) The Northwest Territories are declared to be reciprocating territories for the purpose of the enforcement of orders made under the Labour Standards Act of those territories.

    (2) The Labour Standards Board of the Northwest Territories is designated as the authority within those territories for the purposes of clause 42(1)(b) of the Employment Standards Act.

2. This Order comes into force on May 22, 2004.

EXEMPLARY NOTES

The Order adds the Northwest Territories as reciprocating territories for the purposes of enforcing orders, certificates or judgments for the payment of wages, overtime pay or entitlements made under the Labour Standards Act of the Northwest Territories.

EC2004-268

HERITAGE PLACES PROTECTION ACT

HERITAGE PLACES ADVISORY BOARD APPOINTMENTS

Pursuant to subsection 3(1) of the Heritage Places Protection Act R.S.P.E.I. 1988, Cap. H-3.1 and subsection 2(1) of the Heritage Places Protection Act Regulations (EC414/00), Council made the following appointments:

<table>
<thead>
<tr>
<th>NAME</th>
<th>TERM OF APPOINTMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Cousins</td>
<td>9 January 2004</td>
</tr>
<tr>
<td>Bloomfield</td>
<td>to</td>
</tr>
<tr>
<td>(reappointed)</td>
<td>9 January 2007</td>
</tr>
<tr>
<td>Carter Jeffery</td>
<td>9 January 2004</td>
</tr>
</tbody>
</table>
Further, Council noted with approval the appointment by the Minister, in accordance with subsection 2(2) of the said Regulations, of John Cousins as Chair of the Board.

EC2004-269

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JAMES W. HOOPER
(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 James W. Hooper of Fort Myers, Florida to acquire a land holding of approximately four (4) acres of land in Lot 1, Prince County, Province of Prince Edward Island, being acquired from John Victor Doucette of Pleasant View, Prince Edward Island.

EC2004-270

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ERIC MCKENZIE AND DARLENE MCKENZIE
(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 Eric McKenzie and Darlene McKenzie, both of Victoria, British Columbia to acquire a land holding of approximately thirty (30) acres of land in Lot 39, Kings County, Province of Prince Edward Island, being acquired from Albert Weatherby of Charlottetown, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Eric McKenzie and Darlene McKenzie and on all successors in title.
EC2004-271

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
CALLOWAY REAL ESTATE INVESTMENT TRUST
(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 Calloway Real Estate Investment Trust of Calgary, Alberta to acquire an interest in a land holding of approximately twenty-four decimal four seven (24.47) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from First Charlotte Developments Limited of Charlottetown, Prince Edward Island.

EC2004-272

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
E & W BROWN 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 E & W Brown Holdings Inc. of Kensington, Prince Edward Island to acquire a land holding of approximately three decimal zero six (3.06) acres of land in Lot 19, Prince County, Province of Prince Edward Island, being acquired from Edwin Brown and Wendy Brown, both of Baltic, Prince Edward Island.

EC2004-273

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
E & W BROWN HOLDINGS 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 E & W Brown Holdings Inc. of Kensington, Prince Edward Island to acquire a land holding of approximately eleven decimal eight four (11.84) acres of land in Lot 19, Prince County, Province of Prince Edward Island, being acquired from Edwin Brown and Wendy Brown, both of Baltic, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said E & W Brown Holdings Inc. and on all successors in title.
EXECUTIVE COUNCIL ____________________________ 11 MAY 2004

EC2004-274

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
EASY-STOW 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 Easy-Stow Ltd. of Tyne Valley, Prince Edward Island to acquire a land holding of approximately twenty (20) acres of land in Lot 14, Prince County, Province of Prince Edward Island, being acquired from Justin Noye of Tyne Valley, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Easy-Stow Ltd. and on all successors in title.

EC2004-275

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HATTON FARMS 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 Hatton Farms Inc. of Midgell, Prince Edward Island to acquire a land holding of approximately twenty-three (23) acres of land in Lot 40, Kings County, Province of Prince Edward Island, being acquired from Cletus L. DeCoursey of Midgell, 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.

EC2004-276

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PARKDALE PHARMACY (1981) LTD.
(APPROVAL)

Pursuant to section 5 of the Prince Edward Island Lands Protection Act R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Parkdale Pharmacy (1981) Ltd. of Charlottetown, Prince Edward Island to acquire a land holding of approximately zero decimal four eight (0.48) acres of land in Lot 48, Queens County, Province of Prince Edward Island, being acquired from the Government of Prince Edward Island.
EC2004-277

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
RED SHORE COTTAGES 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 Red Shore Cottages Inc. of East Bideford, Prince Edward Island to acquire a land holding of approximately two decimal three (2.3) acres of land in Lot 12, Prince County, Province of Prince Edward Island, being acquired from Roger Palmer of Conway, Prince Edward Island.

EC2004-278

PUBLIC HEALTH ACT
SLAUGHTER HOUSE REGULATIONS
AMENDMENT

Pursuant to section 23 of the Public Health Act R.S.P.E.I. 1988, Cap. P-30, Council made the following regulations:

1. Section 1 of the Public Health Act Slaughter House Regulations (EC478/62) is amended

   (a) by the revocation of clause (b) and the substitution of the following:

   (b) “inspector” means a health officer or a veterinarian;

   (b) in clause (c), by the deletion of the words “Lieutenant Governor in Council” and the substitution of the word “Minister”;

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

   (h) “license” means a license issued under section 3;

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

   (i) “veterinarian” means a veterinarian who is authorized by the Chief Health Officer under subsection 10(3) of the Act to inspect animals slaughtered in a slaughter house.

2. Section 2 of the regulations is amended by the addition of the words “or her” after the word “his” wherever it occurs.

3. Clause 6(c) of the regulations is amended by the deletion of the words “permit holder” and the substitution of the words “a license holder”.

4. Section 8 of the regulations is amended

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

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

   (f) be equipped with a two-compartment sink for washing equipment; and

   (g) be equipped with a sink, together with a soap dispenser and paper towelling, that is available at all times for the purpose of enabling staff to wash their hands.
5. Subsection 17(2) of the regulations is amended by the addition of the words “head and” after the word “removed”.

6. The regulations are amended by the addition of the following after section 17:

17.1 (1) In this section and section 17.2 Definitions

(a) “animal” means a bull, cow, steer, heifer or calf of the genus Bos;

(b) “Canadian Cattle Identification Agency” or “CCIA” means the nationally incorporated agency that has established a national cattle identification program under the Health of Animals Act (Canada);

(c) “CCIA tag” means a cattle identification tag bearing the identification number assigned to an animal by the CCIA;

(d) “carcass” means the carcass of an animal that is slaughtered at a slaughter house;

(e) “meat product” means any product or item of food that includes meat from an animal;

(f) “operator” means a person who holds a license;

(g) “provincial identification tag” means a cattle identification tag in a form approved by the Chief Health Officer;

(h) “specified risk material” or “SRM” means the following parts of a slaughtered animal:

(i) from any animal of any age, the small intestine and contents,

(ii) from any animal aged 30 months or older,

(A) the skull, including the brain, trigeminal ganglia and eyes,

(B) the tonsils, and

(C) the spinal cord and the vertebral column including the dorsal root ganglia.

(2) For the purposes of this section and section 17.2, an animal is deemed to be or to have been 30 months of age or older when it has more than two permanent incisor teeth that have erupted through its gums.

(3) Every operator of a slaughter house shall ensure Examination and identification of animal and carcass

(a) that the incisor teeth of (i) any animal to be slaughtered are examined before the animal is stunned, in order to determine the age of the animal for the purposes of subsection (4), and

(ii) any animal that has been stunned are examined before the carcass of the animal is moved for butchering, in order to confirm the age of the animal;

(b) that the carcass of any animal 30 months of age or older is identified in a manner acceptable to the Chief Health Officer;

(c) that the CCIA tag of any animal remains with its carcass until the carcass has been inspected by a veterinarian;

(d) that a provincial identification tag for any animal (i) is attached to each quarter of the carcass of the animal prior to its removal from the killing room or kill floor, and

(ii) remains with each quarter of the carcass until its final disposition; and

(e) that the identity of a carcass and all of its parts is recorded by the operator in a manner acceptable to the Chief Health Officer until the final disposition of the carcass and all of its parts is known.

(4) An operator of a slaughter house shall ensure that an animal less than 30 months of age is not slaughtered with animals that are 30 months of age or older.

17.2 (1) No person shall stun any animal using Stunning

(a) a percussion device which penetrates, and injects air into, the cranial cavity of the animal; or

(b) a pithing rod.
(2) Every operator of a slaughter house shall ensure that any knife used at the slaughter house to sever the spinal cord of animals that are 30 months of age or older
   (a) is identified, by colour coding or other visual system, as a knife that may only be used for that purpose;
   (b) is not used
       (i) to sever the spinal cord of animals that are less than 30 months of age, or
       (ii) for any other purpose; and
   (c) is washed and sanitized after use.

(3) Every operator of a slaughter house shall ensure
   (a) that all of the SRM, other than the spinal vertebrae, of the carcass of an animal 30 months of age or older is removed from the carcass before the carcass is inspected by a veterinarian;
   (b) that all of the spinal cord tissue and the small intestine from the carcass of an animal less than 30 months of age is removed from the carcass before the carcass is inspected by a veterinarian; and
   (c) that the material required to be removed from a carcass under clause (a) or (b)
       (i) does not come into contact with or contaminate any meat intended for human consumption,
       (ii) is not incorporated into any meat product intended for human consumption, and
       (iii) is placed in one or more containers that do not leak.

(4) Every operator of a slaughter house shall ensure that
   (a) any area in the slaughter house where SRM is removed from a carcass, or is handled, is routinely cleaned and sanitized; and
   (b) all equipment and containers used in the handling of SRM are routinely cleaned and sanitized.

(5) Every operator of a slaughter house shall ensure that all staff at the slaughter house who work in any areas of the slaughter house where animals are slaughtered or where carcasses are processed have a broad and current knowledge of safe SRM removal procedures.

7. Section 29 of the regulations is amended
   (a) by the deletion of the word “him” and the substitution of the words “him or her”; and
   (b) by the deletion of the word “he” wherever it occurs and the substitution of the words “he or she”.

8. Clause 30(b) of the regulations is amended
   (a) by the deletion of the word “him” and the substitution of the words “him or her”; and
   (b) by the deletion of the word “he” and the substitution of the words “he or she”.

9. Clause 32(a) of the regulations is amended by the deletion of the words “an inspector duly appointed” and the substitution of the words “a veterinarian”.

10. Subsections 33(1) and (2) of the regulations is amended by the deletion of the words “duly qualified inspector” and the substitution of the word “veterinarian”.

EXPLANATORY NOTES

SECTION 1 makes corrections to the definitions of “inspector” and “Chief Health Officer” and adds a definition for “veterinarian”.

SECTION 2 adds gender-neutral language to the regulations.

SECTION 3 removes the word “permit” and substitutes the word “license”.

SECTION 4 requires slaughter houses to be equipped with a sink for washing equipment and a sink for use by staff.

SECTION 5 requires the head of an animal to be tagged.

SECTION 6 provides for the examination and identification of cattle and their carcasses. In addition, it sets out rules governing the slaughtering and processing of cattle for the purpose of ensuring the safe handling of specified risk material from cattle carcasses.

SECTION 7 and 8 add gender-neutral language to the regulations.

SECTIONS 9 and 10 provide that a veterinarian must inspect and stamp as approved, or condemn all animals slaughtered in a slaughter house and all meats for sale or offered for sale.

SECTION 11 provides for the commencement of these regulations.