

EC2010-459

EXECUTIVE COUNCIL ACT
 PREMIER AND PRESIDENT OF THE EXECUTIVE COUNCIL
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (MEMORANDUM OF UNDERSTANDING
 ON ENHANCING EXCHANGES AND COOPERATION)
 WITH
 HAINAN PROVINCE
 THE PEOPLE'S REPUBLIC OF CHINA

Pursuant to clause 10(d) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Premier and President of the Executive Council to enter into an agreement with Hainan Province, People's Republic of China, as represented by its Governor, to provide for continued cooperation where possible to advance commercial exchanges, promote tourism, facilitate communication in sectors such as software technology and the IT industry, exchange and share research related to clean energy and sustainable water management, and expand skills training programs, such as more particularly described in the draft agreement.

EC2010-460

HOUSING CORPORATION ACT
 ALBERTON HOUSING AUTHORITY
 APPOINTMENT

Pursuant to subsection 10(3) of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1 Council made the following appointment:

NAME	TERM OF APPOINTMENT
as member and chair	
Michael King	21 June 2010
Alberton	to
(reappointed)	21 June 2013

EC2010-461

HOUSING CORPORATION ACT
CHARLOTTETOWN HOUSING AUTHORITY
APPOINTMENTS

Pursuant to subsection 10(3) of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1 Council made the following appointments:

NAME	TERM OF APPOINTMENT
as members	
Dorothy Arsenault Charlottetown (reappointed)	21 June 2010 to 21 June 2013
Roberta Smith Charlottetown (vice Allan Poulton, resigned)	31 August 2010 to 21 June 2013
Kathleen Trainor Charlottetown (reappointed)	21 June 2010 to 21 June 2013

EC2010-462

HOUSING CORPORATION ACT
GEORGETOWN HOUSING AUTHORITY
APPOINTMENTS

Pursuant to subsection 10(3) of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1 Council made the following appointments:

NAME	TERM OF APPOINTMENT
as member	
Mark Gotell Georgetown (vice Naomi Gotell, term expired)	31 August 2010 to 21 June 2013
Gordon Lavers Georgetown (reappointed)	21 June 2010 to 21 June 2013

EC2010-463

HOUSING CORPORATION ACT
MONTAGUE HOUSING AUTHORITY
APPOINTMENT

Pursuant to subsection 10(3) of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1 Council made the following appointment:

NAME	TERM OF APPOINTMENT
as member	
Darlene MacSwain Montague (reappointed)	21 June 2010 to 21 June 2013

EC2010-464

HOUSING CORPORATION ACT
MOUNT STEWART HOUSING AUTHORITY
APPOINTMENT

Pursuant to subsection 10(3) of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1 Council made the following appointment:

NAME	TERM OF APPOINTMENT
as member	
Joe McKenna Mount Stewart (reappointed)	21 June 2010 to 21 June 2013

EC2010-465

HOUSING CORPORATION ACT
O'LEARY HOUSING AUTHORITY
APPOINTMENT

Pursuant to subsection 10(3) of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1 Council made the following appointment:

NAME	TERM OF APPOINTMENT
as member	
Betty Clements O'Leary (reappointed)	21 June 2010 to 21 June 2013

EC2010-466

HOUSING CORPORATION ACT
SOURIS HOUSING AUTHORITY
APPOINTMENT

Pursuant to subsection 10(3) of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1 Council made the following appointment:

NAME	TERM OF APPOINTMENT
as member	
Anne Marie Whalen Souris (reappointed)	21 June 2010 to 21 June 2013

EC2010-467

HOUSING CORPORATION ACT
SUMMERSIDE HOUSING AUTHORITY
APPOINTMENTS

Pursuant to subsection 10(3) of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1 Council made the following appointments:

NAME	TERM OF APPOINTMENT
as member and vice-chair	
Susan Serbert Summerside (reappointed)	21 June 2010 to 21 June 2013
as member	
Maynard Simpson Summerside (vice Zelda Gallant, term expired)	31 August 2010 to 21 June 2013

EC2010-468

HOUSING CORPORATION ACT
TIGNISH HOUSING AUTHORITY
APPOINTMENTS

Pursuant to subsection 10(3) of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1 Council made the following appointments:

NAME	TERM OF APPOINTMENT
as members	
Colin Arsenaault Tignish (reappointed)	21 June 2010 to 21 June 2013

Brenda McAlduff	21 June 2010
Tignish	to
(reappointed)	21 June 2013
Lorraine Peters	31 August 2010
Tignish	to
(vice Winston Keough, resigned)	21 June 2013

Further, Council designated June Watterson as chairperson of the authority for the balance of her term as a member, expiring 21 June 2012.

EC2010-469

PRINCE EDWARD ISLAND LANDS PROTECTION ACT FORMS REGULATIONS AMENDMENT

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

1. Form 1 of the *Prince Edward Island Lands Protection Act* Forms Regulations (EC219/96) is amended

(a) by the deletion of the words “Department of Communities, Cultural Affairs and Labour” and the substitution of the words “Department of Finance and Municipal Affairs”; and

(b) by the deletion of the words “Information on this Form is collected pursuant to the *Lands Protection Act* and will be used by the Commission in the administration of the said Act. For additional information, contact the Commission at (902) 892-3501 or by email at info@irac.pe.ca” and the substitution of the words “Information on this Form is collected pursuant to the *Lands Protection Act* and will be used by the Commission in the administration of the said Act. Please note some information collected will be available to the public. For additional information, contact the Commission at (902) 892-3501 or by email at info@irac.pe.ca”.

2. Form 2 of the regulations is amended

(a) by the deletion of the words “Department of Communities, Cultural Affairs and Labour” and the substitution of the words “Department of Finance and Municipal Affairs”; and

(b) by the deletion of the words “Information on this Form is collected pursuant to the *Lands Protection Act* and will be used by the Commission in the administration of the said Act. For additional information, contact the Commission at (902) 892-3501 or by email at info@irac.pe.ca” and the substitution of the words “Information on this Form is collected pursuant to the *Lands Protection Act* and will be used by the Commission in the administration of the said Act. Please note some information collected will be available to the public. For additional information, contact the Commission at (902) 892-3501 or by email at info@irac.pe.ca”.

3. These regulations come into force on September 11, 2010.

EXPLANATORY NOTES

SECTIONS 1 and 2 amend Forms 1 and 2 of the regulations to reflect the proper name of the Department that changed as a result of Government reorganization in January, 2010. The disclaimer in the Forms has been amended to indicate that some information that has been collected will be available to the public.

SECTION 3 provides for the commencement of these regulations.

EC2010-470

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
STEPHEN F. CRUICKSHANK AND BETTY JEAN CRUICKSHANK
(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 Stephen F. Cruickshank and Betty Jean Cruickshank, both of Battersea, Ontario to acquire a land holding of approximately nine decimal four two (9.42) acres of land in Lot 43, Kings County, Province of Prince Edward Island, being acquired from John Edward Silk and Anne Elizabeth Silk, both of Fortune Bridge, Prince Edward Island.

EC2010-471

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MIKE HELLMAN AND MIKE ARCHER
(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 Mike Hellman and Mike Archer, both of Santa Barbara, California to acquire a land holding of approximately sixty decimal one one (60.11) acres of land in Lot 11, Prince County, Province of Prince Edward Island, being acquired from James Hooper and Gloria Hooper, both of Cape Coral, Florida.

EC2010-472

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MARY ELLEN LEEMAN AND KEITH LEEMAN
(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 Mary Ellen Leeman and Keith Leeman, both of Pemberton Ridge, New Brunswick to acquire a land holding of approximately fifty (50) acres of land in Lot 61, Kings County, Province of Prince Edward Island, being acquired from Ryan Wood Producers Ltd. of Montague, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 256776, 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.

EC2010-473

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SANDRA MCINTOSH
(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 Sandra McIntosh of Whitby, Ontario to acquire a land holding of approximately fifty (50) acres of land in Lot 62, Queens County, Province of Prince Edward Island, being acquired from William H. Murrell, Jr. and Patricia A. Murrell, both of Lake Wales, Florida.

Further, Council noted that the said land holding, being Provincial Property No. 324830, 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.

EC2010-474

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
BERNIE ZIMMERMANN
(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 Bernie Zimmermann of Port McNeill, British Columbia to acquire an interest in a land holding of approximately twelve decimal three (12.3) acres of land in Lot 56, Kings County, Province of Prince Edward Island, being acquired from Lothar Zimmermann of Stratford, Prince Edward Island.

EC2010-475

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
100156 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 100156 P.E.I. Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately twelve decimal six six (12.66) acres of land in Lot 22, Queens County, Province of Prince Edward Island, being acquired from Terry Peters of Summerside, Prince Edward Island.

EC2010-476

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 EASTERN KINGS COMMUNITY CENTER 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 Eastern Kings Community Centre Limited of Souris, Prince Edward Island to acquire a land holding of approximately seven decimal seven nine (7.79) acres of land in Lot 47, Kings County, Province of Prince Edward Island, being acquired from Regional Administrative Unit 4 of Montague, Prince Edward Island.

EC2010-477

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 L & C FISHERIES 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 L & C Fisheries Inc. of Springbrook, Prince Edward Island to acquire a land holding of approximately one decimal three (1.3) acres of land in Lot 21, Queens County, Province of Prince Edward Island, being acquired from James Roland Merrill Jollimore of Springbrook, Prince Edward Island.

EC2010-478

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 MARVYN'S GARDEN 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 Marvyn's Garden Inc. of Souris, Prince Edward Island to acquire a land holding of approximately four decimal nine (4.9) acres of land in Lot 47, Kings County, Province of Prince Edward Island, being acquired from South Lake Farms Ltd. of Souris, Prince Edward Island.

EC2010-479

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 TROUT RIVER HOMES INC.
 (TO RESCIND)

Council, having under consideration Order-in-Council EC2010-414 of 20 July 2010, rescinded the said Order forthwith, thus rescinding permission for Trout River Homes Inc. of Hunter River, Prince Edward Island to acquire approximately three (3) acres of land in Lot 22, Queens County, Province of Prince Edward Island from Keith Bagnall of Fredericton, New Brunswick.

EC2010-480

**PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ZIMMERMANN FOREST PRODUCTS 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 Zimmermann Forest Products Ltd. of Port McNeill, British Columbia to acquire a land holding of approximately twelve decimal three (12.3) acres of land in Lot 56, Kings County, Province of Prince Edward Island, being acquired from Lothar Zimmermann of Stratford, 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.

EC2010-481

**ROADS ACT
VEHICLE WEIGHTS AND DIMENSIONS REGULATIONS
AMENDMENT**

Pursuant to section 55 of the *Roads Act* R.S.P.E.I. 1988, Cap. R-15, Council made the following regulations:

1. Section 1 of the *Roads Act* Vehicle Weights and Dimensions Regulations (EC1/02) is amended

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

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

(t) “effective rear overhang” means the longitudinal distance from the centre of the rear axle or axle group on a truck or the geometric centre of the rear axle or axle group on a trailer, to the rearmost point of the truck or trailer, including cargo; effective rear
overhang

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

(ag) “intercity bus” means a vehicle that is designed to carry more than 10 passengers and that is equipped with facilities to allow extended travel without stopping, and includes such a vehicle modified for use as a motor home; intercity bus

(d) by the revocation of clause (ar) and the substitution of the following:

(ar) “rear overhang” means the longitudinal distance from the rearmost point of the bed or body of a vehicle to the rearmost point of the cargo; rear overhang

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

(bh) “tridem equivalent axle” means an axle group consisting of three consecutive, equally spaced axles within a vehicle that has tridem equivalent
axle

- (i) all lift axles lowered,
- (ii) the same number and size of tires on each axle, and
- (iii) each of its axles attached to the vehicle by identical pneumatic suspension that automatically provide load equalization;

2. (1) Subsection 2(3) of the regulations is amended

(a) in the words preceding clause (a), by the deletion of the words “The maximum allowable weight for an axle, other than a steering axle, that may be carried by a vehicle or combination of vehicles on a highway or a portion of a highway shall not exceed the least of” and the substitution of the words “A person operating or causing to be operated a vehicle shall ensure the maximum allowable weight for an axle, other than a steering axle, that may be carried by a vehicle or combination of vehicles on a highway or a portion of a highway does not exceed the least of”; and

(b) in clause (c), by the addition of the word “weight” after the words “the tire load”.

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

(4) Notwithstanding clause (3)(c), in cases where a vehicle has been modified to enable the vehicle to carry a weight in excess of that indicated in the original manufacturer’s rating, or the original manufacturer’s rating is not available, a new steering axle weight rating indicated by the manufacturer’s agent or dealer may be applied if

- (a) the manufacturer’s agent or dealer executes and signs the form in Schedule 5;
- (b) the owner of the vehicle submits the form to the Minister and requests that the new rating be applied; and
- (c) the modification does not exceed the original manufacturer’s rating by more than 2,000 kg.

(3) Subsections 2(5) and (8) of the regulations are revoked.

3. Clause 6(3)(a) of the regulations is amended by the deletion of the words “section 53.1” and the substitution of the words “clause 54(1)(b)”.

4. Subsection 9(1) of the regulations is amended by the deletion of the words “not listed in Schedule 2”.

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

(5) A tractor semi-trailer of a model year 2002 or earlier with an end dumping mechanism that does not meet the prescribed dimension requirements for the applicable category of vehicle as set out in Schedule 4, and with an interaxle spacing between the tractor drive axle group and the semi-trailer axle group of at least 2.6 m, may operate

- (a) if the vehicle has a tandem axle, at a maximum allowable weight limit of 18,000 kg; or
- (b) if the vehicle has a tridem axle, at a maximum allowable weight limit of 26,000 kg.

6. Section 14 of the regulations is revoked and the following substituted:

14. A trailer or semi-trailer with a tandem axle group having axle spacing of more than 1.85 m may operate at a maximum allowable weight limit of 18,000 kg.

7. Section 15 of the regulations is revoked and the following substituted:

15. A trailer or semi-trailer of a model year 2002 or earlier, with a tridem axle, tridem equivalent axle or triaxle, having an axle spread of more than 3.7 m, shall be subject to a maximum allowable weight limit of 26,000 kg.

8. Subsection 16(1) of the regulations is revoked and the following substituted:

16. (1) A trailer or semi-trailer of a model year 2002 or earlier, with a triaxle, shall be subject to the maximum allowable weight limit of 26,000 kg.

9. Schedule 1 of the regulations is amended by the addition of the words “Route 6 Stanley Bridge to Cavendish” immediately below the words “Route 6 Kensington to Stanley Bridge Intersection”.

10. Schedule 2 of the regulations is revoked.

11. Schedule 4 of the regulations is amended

(a) in Category 1, Part 1,

(i) by the deletion of the words “Maximum 6.2 m” and the substitution of the words “Maximum 6.2 m*”, and

(ii) by the addition of the following after the diagram and table entitled “Part 1-Dimension Limits”:

* A tractor wheelbase can be up to a maximum of 7.2 m, if the wheelbase of the semi-trailer is not greater than the wheelbase as set out in Table 1.

**Table 1
Maximum Semi-trailer Wheelbases**

Tractor Wheelbase	Maximum Semi-trailer Wheelbase
> 6.2 m to 6.3 m	12.47 m
> 6.3 m to 6.4 m	12.40 m
> 6.4 m to 6.5 m	12.33 m
> 6.5 m to 6.6 m	12.27 m
> 6.6 m to 6.7 m	12.20 m
> 6.7 m to 6.8 m	12.13 m
> 6.8 m to 6.9 m	12.07 m
> 6.9 m to 7.0 m	12.00 m
> 7.0 m to 7.1 m	11.93 m
> 7.1 m to 7.2 m	11.87 m

(b) in Category 6, Part 1, by the deletion of the words “Minimum 2.4 m/Maximum 2.5 m” and the substitution of the words “Minimum 2.4 m/Maximum 3.7 m”;

(c) in Category 7, Part 1, in respect of the entry in the Minimum and Maximum Allowable Dimension Limit column

(i) for Tandem Steering Axle Spread, by the deletion of the words “Minimum 1.2 m/Maximum 1.85 m” and the substitution of the words “Minimum 1.2 m/Maximum 2.2 m”, and

(ii) for Tridem Axle Spread, by the deletion of the words “Minimum 2.4 m/Maximum 2.5 m” and the substitution of the words “Minimum 2.4 m/Maximum 3.7 m”;

(d) in Category 7, Part 2,

(i) by the deletion of the words “Tandem Steering Axle: Spread 1.2 m to 1.85 m” and the substitution of the words “Tandem Steering Axle: Spread 1.2 m to 2.2 m”, and

(ii) by the deletion of the words “Tridem Axle: Spread 2.4 m - 2.5 m” and the substitution of the words “Tridem Axle: Spread 2.4 m to 3.7 m”;

(e) in Category 9, Part 1, in respect of the entry in the Minimum and Maximum Allowable Dimension Limit column for Tandem Steering Axle Spread, by the deletion of the words “Minimum 1.2 m/Maximum 1.85 m” and the substitution of the words “Minimum 1.2 m/Maximum 2.2 m”; and

(f) in Category 10, Part 1 and Part 2 by the addition of the words “and Motor Home” after the words “Intercity Bus”.

12. Schedule 5 of the regulations is amended by the deletion of the words “The Minister of Transportation and Public Works” and the substitution of the words “The Minister of Transportation and Infrastructure Renewal”.

13. These regulations come into force on September 11, 2010.

EXPLANATORY NOTES

SECTION 1 provides four amended definitions for the regulations: “effective rear overhang”, “intercity bus”, “rear overhang” and “tridem equivalent axle”, and deletes a definition that is no longer needed.

SECTION 2 removes an age limitation relating to a rating modification for a vehicle allowed by the regulations and combines subsections of a section for clarity.

SECTION 3 amends the regulations to refer to a section of the Act concerning the approval of plans describing routes for vehicles transporting commodities.

SECTION 4 removes a reference to Schedule 2, which is being revoked.

SECTION 5 removes a reference to expiry dates and effective dates that are no longer required for the regulations.

SECTION 6 removes a reference to expiry dates and effective dates that are no longer required for the regulations.

SECTION 7 removes a reference to expiry dates and effective dates that are no longer required for the regulations.

SECTION 8 removes a reference to an expiry date that is no longer required for the regulations.

SECTION 9 provides for Route 6 Stanley Bridge to Cavendish to be added to Schedule 1: All Weather Highways.

SECTION 10 revokes Schedule 2: A, B, C Train Highways.

SECTION 11 amends the dimension requirements for certain vehicles’ wheelbases, tandem axle steering spreads and tridem axle spreads, and amends a heading for one Category in the Schedule to add “Motor Home” to the heading.

SECTION 12 changes the name of the Minister in the regulations from the Minister of Transportation and Public Works to the Minister of Transportation and Infrastructure Renewal, which is the name used in the Act.

SECTION 13 provides for the commencement of these regulations.

EC2010-482

MENTAL HEALTH ACT
MENTAL HEALTH REVIEW BOARD
APPOINTMENTS

Pursuant to section 27 of the *Mental Health Act* R.S.P.E.I. 1988, Cap. M-6.1 Council made the following appointments:

NAME	TERM OF APPOINTMENT
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via clause 27(3)(a), as chairperson

Michael Drake	31 August 2010
Cornwall	to
(vice Chris Montigny, resigned)	31 August 2013

via subsection 27(4), as alternate chairperson

Jeffrey Leard	31 August 2010
Summerside	to
(vice Michael Drake, resigned)	31 August 2013

EC2010-483

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

Council ORDERED that the Legislative Assembly of the Province be called to meet for the Despatch of Business on Friday, the 12th day of November A.D. 2010 at the hour of two o'clock in the afternoon and that a proclamation be issued forthwith.