CORONERS ACT **DECLARATION RE**

Under authority of section 63 of the Coroners Act Stats. P.E.I. 2006, 3rd Session, c. 29 Council ordered that a Proclamation do issue proclaiming the said "Coroners Act" to come into force effective 25 August 2007.

EC2007-489

CORONERS ACT REGULATIONS

Pursuant to section 56 of the Coroners Act R.S.P.E.I. 1988, Cap. C-25.1, Council made the following regulations:

- 1. In these regulations, "Act" means the Coroners Act R.S.P.E.I. 1988, Act Cap. C-25.1.
- **2.** The remuneration payable to a coroner

Remuneration payable to a coroner

- (a) for performing his or her duties under the Act,
 - (i) between the hours of 8:00 a.m. and 12 midnight, is \$100 per hour, and
 - (ii) between the hours of 12 midnight and 8:00 a.m., is \$150 per hour:
- (b) for arranging an autopsy and interpreting the results, is \$150;
- (c) for preparing and submitting any report required under the Act, is \$50.
- **3.** The remuneration payable to a pathologist

Remuneration

- (a) for preparing and reporting the results of a post-mortem examination is \$436; and
- (b) for preparing and reporting the results of a forensic post-mortem examination is \$555.
- 4. The remuneration payable to a witness summoned by a coroner to give Remuneration for evidence at an inquest is,

- (a) in the case of a witness other than one referred to in clause (b) or
- (c), \$25 per half day;
- (b) in the case of a witness who is a pathologist or medical practitioner, \$150 per half day; and
- (b) in the case of a witness who is a professional person, other than a person mentioned in clause (b), \$100 per half day.
- **5.** The travel allowance payable to a witness who attends an inquest is,
 - (a) where the witness resides within the city or town in which the inquest is held, \$3 per day;
 - (b) where the witness resides outside the city or town where the inquest is held, 24 cents per kilometre each way between his or her residence and the place of the inquest; and
 - (c) where the witness resides outside the Province of Prince Edward Island and is required to attend an inquest in Prince Edward Island, the minimum return airfare plus reasonable living expenses.

Travel allowance for witness

The remuneration pay	yable to an interprete	er at an inquest is \$5	50 per half	Rem
day.				paya inter

nuneration rpreter

7. The remuneration and allowances payable to jurors at an inquest shall Remuneration and be the same as those paid to jurors under the Jury Act R.S.P.E.I. 1988, allowances payable Cap. J-5.1.

8. The Minister may authorize any further fees and allowances that the Fees Minister considers reasonable respecting services required and provided in the administration of the Act.

9. (1) A warrant to take possession of a body pursuant to clause 6(1)(a) warrant to take of the Act shall be in Form 1 of the Schedule.

possession of body, Form

(2) A warrant pursuant to subsection 10(1) of the Act requiring a post- Warrant re postmortem examination shall be in Form 2 of the Schedule.

mortem examination, Form

(3) A report of a post-mortem examination pursuant to subsection Report of post-mortem, Form 10(3) of the Act shall be in Form 3 of the Schedule.

(4) An order to disinter a body pursuant to section 11 of the Act shall warrant to disinter be in Form 4 of the Schedule.

body, Form

(5) A certificate of a coroner releasing a body pursuant to subsection Certificate for 14(2) of the Act shall be in Form 5 of the Schedule.

release of a body.

(6) A certificate of a coroner releasing a body pursuant to subsection Idem 14(4) of the Act shall be in Form 6 of the Schedule.

(7) A report of a coroner pursuant to clause 15(1)(a) of the Act shall be Report, Form

(8) An order directing an inquest pursuant to section 19 of the Act shall Order directing be in Form 8 of the Schedule.

(9) A summons to an inquest witness pursuant to subsection 38(1) of Summons, Form the Act shall be in Form 9 of the Schedule.

(10) An order to a witness pursuant to subsection 38(3) of the Act who Order to witness, is confined to a place mentioned in clause 5(1)(h) of the Act shall be in Form Form 10 of the Schedule.

(11) A jury report prepared pursuant to section 49 of the Act shall be in Jury report, Form Form 11 of the Schedule.

10. These regulations come into force on August 25, 2007.

in Form 7 of the Schedule.

SCHEDULE

FORM 1

Warrant to Take Possession of a Body (Clause 6(1)(a))

I,, a Coroner for Prince Edward Island have
reason to believe that died under circumstances that
require investigation, and I issue this warrant to take possession of the
body to conduct an investigation into the circumstances surrounding the
death and the manner and cause of death of
DATED this, 20
A Coroner for Prince Edward Island

Warrant for a Post	-Mortem Examination
(Subsec	etion 10(1))

To	, a pa	athologist.	
to make a pos	st-mortem examination or wing special examination	or Prince Edward Island, direct you in the body ofs or analyses be made by you	
Toxicology: □ Blood for Ethyl alcohol □ Drug Screen			
☐ Other (spe	cify):		
The body is i	dentified at the time of au	utopsy by	
		th (including request for any ion to opinion re: cause of death)	
Age	Date and Time of Death	n (may be estimated only)	
Authorities co Coroner R.C.M.P. Other Please telephore	oncerned at this time: one verbal report of findified the gross examination, to	☐ City or Town Police ☐ Hospital Chart (Specify) ngs, immediately following	
☐ Office		Other	
DATED this	day of	, 20	
	 A	A Coroner for Prince Edward Island	
	FORM	М 3	
	Report of the Post-Mo (Subsection		
Identified to I	me byee of	Time	
Island, on the Time autopsy	cday of, commenced	, Prince Edward 20 about hours after death.	
Length of boo 1. Peculiariti (a) Hair (b) Teet (c) Eyes	dy weight es of h	how nourished	
 Rigor more Post morte Decompose 	tis em staining	,	

Order	for	Disi	nte	rment
(Sec	tion	11)

(Section 11)
To,, spouse or next of kin of,
who died at, on the day of
And to,, the owner or person in charge of the place of burial or storage.
I,, Chief Coroner for Prince Edward Island being of the opinion that disinterment is necessary for the purposes of investigation or inquest, do hereby order the disinterment of the said
DATED this, 20
Chief Coroner for Prince Edward Island
FORM 5
Certificate of a Coroner Releasing a Body (Subsection 14(2))
I,, a Coroner for Prince Edward Island have
examined the Medical Certificate of Death of,
late of, who was born on theday of
20, and I release the body for burial, cremation or transport.
DATED this, 20

A Coroner for Prince Edward Island

Certificate of a Coroner Releasing a Body that was
Brought into the Province
(Subsection 14(4))

(Subsection 14(4))
I,, a Coroner for Prince Edward Island have
inspected the Medical Certificate of Death or other documents that
accompanied the body of that was
brought into the Province of Prince Edward Island, and have made such
investigation that was necessary to establish or confirm the cause of
death and release the body for burial or cremation.
DATED this, 20
A Coroner for Prince Edward Island
FORM 7
Report of Coroner when Inquest not Necessary (Clause 15(1)(a))
I,, a Coroner for Prince Edward Island,
residing at Prince Edward Island report that,
after an investigation by me, I am of the opinion that
, (date of birth:) of
in came to his/her death on the
day of at
of by the following means:
Medical Cause of Death:
Manner of Death:
(Natural, Accidental, Suicide, Homicide or Undetermined)
Circumstances:
After this investigation I am of the opinion that an inquest is not necessary and I have completed the required Registration of Death and have permitted the disposition of the body of
DATED thisday of, 20
A Coroner for Prince Edward Island

Order I	Directing	Inquest
(:	Section 19	9)

(Section 19)
I,, Attorney General for Prince Edward Island,
pursuant to the power vested in me by the Coroners Act direct
of Prince Edward Island the
Chief Coroner or a Coroner for Prince Edward Island, to hold an inquest
pursuant to the <i>Coroners Act</i> into the death of,
late of, who died at
Prince Edward Island the day of, 20
DATED at Charlottetown, Prince Edward Island day of, 20
Attorney General for Prince Edward Island
FORM 9
Summons to Inquest Witness (Subsection 38(1))
To
You are summoned to appear before me on the day
of, 20, at a.m./p.m.
at Prince Edward Island to
give evidence at the inquest into the death of
DATED thisday of, 20
Please bring with you all records and documents in your control relating to the death of
A Coroner for Prince Edward Island

Order Requiring Attendance of a Confined Witness (Subsection 38(3))

To
WHEREAS is required as a witness
to attend an inquest into the death of
to be held on the day of, 20, at
Prince Edward Island commencing at
WHEREAS I am informed that is confined
at
I THEREFORE DIRECT you to deliver him/her to a peace officer so that he/she may be brought before the presiding Coroner to testify at the inquest.
I FURTHER DIRECT the peace officer to whom custody of the said
is given to provide for safe keeping to
him/her and to have him/her available as a witness at the inquest into the
death of at the time and place stated, and
to return him/her to the custody of
at
DATED thisday of, 20, at
A Coroner for Prince Edward Island

Jury	Rep	ort
(Sect	tion	49)

We, (Please Print)			
	of		
have been sworn as the jury to	inquire into the death of a perso	n	
identified as	, at an inquest held at	,	
, P	rince Edward Island on the	day of	
	, 20 determined the following	ng:	
1. Name of deceased:			
2. Date and time of death:			
3. Place of death:			
4. Cause of death			
5. By what means:			
following:	lar deaths in the future we recon		
(Signature of Jury Member)	(Signature of Jury Member)		
(Signature of Jury Member)		(Signature of Jury Member)	
(Signature of Jury Member)	(Signature of Jury Member)		
This report was received by me	e this day of	, 20	
	A Coroner for Prince Edw	 vard Island	

EXPLANATORY NOTES

SECTION 1 indicates that the Act referred to in the regulations is the Coroners Act.

SECTION 2 provides for the remuneration of coroners for the performance of duties under the Act.

SECTION 3 provides for the remuneration of pathologists for preparing and reporting the results of post-mortem examinations.

SECTIONS 4 and 5 establish the amounts of remuneration and travel allowance that are payable for witnesses attending an inquest.

SECTION 6 provides for the remuneration of an interpreter serving at an inquest.

SECTION 7 provides for the remuneration of jurors serving at an inquest.

SECTION 8 allows the Minister to authorize any fees necessary for the administration of the Act.

SECTION 9 and the SCHEDULE provide for the forms required by the Act.

SECTION 10 is the commencement section.

EXECUTIVE COUNCIL ACT MINISTER OF HEALTH AUTHORITY TO ENTER INTO AN AGREEMENT (MEMORANDUM OF AGREEMENT FOR THE ENFORCEMENT OF THE TOBACCO ACT) 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 Health to enter into an agreement with the Government of Canada, as represented by the Minister of Health, to record the understandings and commitments of the parties regarding their respective roles, responsibilities and activities to monitor and ensure compliance with sections of the Tobacco Act, Part II Access in Prince Edward Island, for the period April 1, 2007 to March 31, 2010, such as more particularly described in the draft agreement.

EC2007-491

FINANCIAL ADMINISTRATION ACT COMMUNITIES 13 INC. GUARANTEE OF LOAN

Having under consideration the recommendation of Treasury Board (reference Minute TB#108/07 of 1 August 2007), pursuant to subsection 32(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council agreed to guarantee payment of a term loan by Communities 13 Inc. (hereinafter referred to as "the borrower") in an amount not exceeding two hundred and thirteen thousand two hundred and twenty-five dollars (\$213,225.00) (hereinafter referred to as the "guaranteed indebtedness") together with interest thereon at the monthly prime rate to the Metro Credit Union Ltd. of Charlottetown, Prince Edward Island (hereinafter referred to as "the lender"), from the 14th day of August 2007 through to and including 1700 hours on the 31st day of March 2018, the said guarantee to be subject to and conditional upon the following terms and conditions:

- 1. The guaranteed indebtedness, including interest, shall be due and payable in full by the borrower no later than the 31st day of March 2018.
- 2. Any advances made by the lender after the 31st day of March 2018 shall not form part of the guaranteed indebtedness.
- 3. The guarantee shall absolutely expire and be null and void without notice to the lender at 1700 hours on the 31st day of March 2018 regardless of any advances that may have been made by the lender to the borrower unless on or before the 31st day of March 2018, notice has been given to the Government of Prince Edward Island, as represented by the Provincial Treasurer that the borrower has defaulted in repayment of the guaranteed indebtedness to the lender, and calling upon the Provincial Treasurer to pay the lender pursuant to the guarantee. The written notice shall include a copy of the written demand given by the lender to the borrower calling upon the borrower to pay the balance in full.
- 4. Government shall be entitled at any time to terminate the guarantee by paying to the lender such amount of the guaranteed indebtedness as may be owing by the borrower to the lender and the lender shall assign to the government all security the lender holds in connection with the guaranteed indebtedness.

- 5. The Provincial Treasurer may add such further terms and conditions to the guarantee as he considers appropriate.
- 6. The guarantee shall not become effective until the lender has agreed in writing to the terms and conditions herein contained and those imposed by the Provincial Treasurer pursuant to paragraph 5 above. The guaranteed indebtedness shall not include any advances made by the lender prior to the agreement by the lender with the terms and conditions herein contained and those imposed by the Provincial Treasurer.

FINANCIAL ADMINISTRATION ACT COMMUNITIES 13 INC. GUARANTEE OF LOAN

Having under consideration the recommendation of Treasury Board (reference Minute TB#108/07 of 1 August 2007), pursuant to subsection 32(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council agreed to guarantee payment of a revolving line of credit loan by Communities 13 Inc. (hereinafter referred to as "the borrower") in an amount not exceeding one hundred thousand dollars (\$100,000.00) (hereinafter referred to as the "guaranteed indebtedness") together with interest thereon at the monthly prime rate to the Metro Credit Union Ltd. of Charlottetown, Prince Edward Island (hereinafter referred to as "the lender"), from the 14th day of August 2007 through to and including 1700 hours on the 1st day of August 2008, the said guarantee to be subject to and conditional upon the following terms and conditions:

- 1. The guaranteed indebtedness, including interest, shall be due and payable in full by the borrower no later than the 1st day of August 2008.
- 2. Any advances made by the lender after the 1st day of August 2008 shall not form part of the guaranteed indebtedness.
- 3. The guarantee shall absolutely expire and be null and void without notice to the lender at 1700 hours on the 1st day of August 2008 regardless of any advances that may have been made by the lender to the borrower unless on or before the 1st day of August 2008, notice has been given to the Government of Prince Edward Island, as represented by the Provincial Treasurer that the borrower has defaulted in repayment of the guaranteed indebtedness to the lender, and calling upon the Provincial Treasurer to pay the lender pursuant to the guarantee. The written notice shall include a copy of the written demand given by the lender to the borrower calling upon the borrower to pay the balance in full.
- 4. Government shall be entitled at any time to terminate the guarantee by paying to the lender such amount of the guaranteed indebtedness as may be owing by the borrower to the lender and the lender shall assign to the government all security the lender holds in connection with the guaranteed indebtedness.
- 5. The Provincial Treasurer may add such further terms and conditions to the guarantee as he considers appropriate.
- 6. The guarantee shall not become effective until the lender has agreed in writing to the terms and conditions herein contained and those imposed by the Provincial Treasurer pursuant to paragraph 5 above. The guaranteed indebtedness shall not include any advances made by the lender prior to the agreement by the lender with the terms and conditions herein contained and those imposed by the Provincial Treasurer.

FINANCIAL ADMINISTRATION ACT SPECIAL WARRANT (SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2006-07) EMPLOYMENT DEVELOPMENT AGENCY

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 Employment Development Agency as follows:

Account Class Account Name Amount

JOBS FOR YOUTH

0083-04286 Public Sector \$96,700.00

EC2007-494

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JEFFREY GRAHAM
(TO RESCIND)

Council, having under consideration Order-in-Council EC2007-129 of 27 February 2007, rescinded the said Order forthwith, thus rescinding permission for Jeffrey Graham of Waddingham, England to acquire a land holding of approximately fifty (50) acres of land in Lot 24, Queens County, Province of Prince Edward Island, from Grant Marshall and Jennifer Marshall, both of North Rustico, Prince Edward Island.

EC2007-495

PRINCE EDWARD ISLAND LANDS PROTECTION ACT PETITION TO ACQUIRE A LAND HOLDING CHRISTOPHER BAIN AND JANE BAIN (APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Christopher Bain and Jane Bain, both of Ottawa, Ontario to acquire a land holding of approximately seven decimal two five (7.25) acres of land in Lot 15, Prince County, Province of Prince Edward Island, being acquired from Kevin Biggar and Donna Biggar, both of Summerside, 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.

PRINCE EDWARD ISLAND LANDS PROTECTION ACT PETITION TO ACQUIRE A LAND HOLDING TRACY D. CROSLEY AND CHRISTINE D. CROSLEY (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 Tracy D. Crosley and Christine D. Crosley, both of Millet, Alberta to acquire a land holding of approximately seven decimal two five (7.25) acres of land in Lot 15, Prince County, Province of Prince Edward Island, being acquired from Christopher Bain and Jane Bain, both of Ottawa, Ontario.

Further, Council noted that the said land holding, being Provincial Property No. 265223, is identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act.

EC2007-497

PRINCE EDWARD ISLAND LANDS PROTECTION ACT PETITION TO ACQUIRE A LAND HOLDING BILL KEICHINGER AND OWEN CONLON (APPROVAL)

Pursuant to section 4 and section 9 of the Prince Edward Island Lands Protection Act R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Bill Keichinger and Owen Conlon, both of Camrose, Alberta to acquire a land holding of approximately forty-one (41) acres of land in Lot 22, Queens County, Province of Prince Edward Island, being acquired from Douglas Curtis of North Wiltshire, 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.

EC2007-498

PRINCE EDWARD ISLAND LANDS PROTECTION ACT PETITION TO ACQUIRE A LAND HOLDING ROBERT MCDONALD AND CYNTHIA MCDONALD (APPROVAL)

Pursuant to section 4 and section 9 of the Prince Edward Island Lands Protection Act R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Robert McDonald and Cynthia McDonald, both of New Annan, Prince Edward Island to acquire a land holding of approximately twenty-four decimal nine (24.9) acres of land in Lot 48, Queens County, Province of Prince Edward Island, being acquired from Andrew Attema and Gillian Attema, both of Bethel, 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.

PRINCE EDWARD ISLAND LANDS PROTECTION ACT PETITION TO ACQUIRE A LAND HOLDING LYNDA C. MORGAN AND STEPHEN E. STEWART (APPROVAL)

Pursuant to section 4 and section 9 of the Prince Edward Island Lands Protection Act R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Lynda C. Morgan and Stephen E. Stewart, both of Oshawa, Ontario to acquire a land holding of approximately thirty-three (33) acres of land in Lot 38, Kings County, Province of Prince Edward Island, being acquired from Cynthia Ann Greer Goldstein of Mamaroneck, New York 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.

EC2007-500

PRINCE EDWARD ISLAND LANDS PROTECTION ACT PETITION TO ACQUIRE A LAND HOLDING DAN SULLIVAN AND JANE SHARPE (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 Dan Sullivan and Jane Sharpe, both of Brampton, Ontario to acquire a land holding of approximately twenty-three decimal nine nine (23.99) acres of land in Lot 16, Prince County, Province of Prince Edward Island, being acquired from Michael Ettinger of Albany, New York.

Further, Council noted that the said land holding, being Provincial Property Nos. 60699 and 894592, 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.

EC2007-501

PRINCE EDWARD ISLAND LANDS PROTECTION ACT PETITION TO ACQUIRE A LAND HOLDING CARRUTHERS' FARMS 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 Carruthers' Farms Ltd. of Hamilton, Prince Edward Island to acquire a land holding of approximately seventy-four (74) acres of land in Lot 18, Prince County, Province of Prince Edward Island, being acquired from James Stuart Carruthers, Michael James Carruthers and Brian Charles Carruthers, all of Hamilton, 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.

PRINCE EDWARD ISLAND LANDS PROTECTION ACT PETITION TO ACQUIRE A LAND HOLDING OUR LADY OF P.E.I. 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 Our Lady of P.E.I. Inc. of Palmer Road, Prince Edward Island to acquire a land holding of approximately twenty-eight (28) acres of land in Lot 1, Prince County, Province of Prince Edward Island, being acquired from Clifford Bernard of Palmer Road, Prince Edward Island PROVIDED THAT the portion of the property that has not been conveyed back to the previous owner, approximately eight (8) acres, is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2007-503

PRINCE EDWARD ISLAND LANDS PROTECTION ACT PETITION TO ACQUIRE A LAND HOLDING WESTCOUNTRY FARMS 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 Westcountry Farms Inc. of Tyne Valley, Prince Edward Island to acquire a land holding of approximately zero decimal eight nine (0.89) acres of land in Lot 13, Prince County, Province of Prince Edward Island, being acquired from Wells Fargo Financial Corporation Canada (formerly Trans Canada Credit Corporation) of Summerside, Prince Edward Island.

EC2007-504

PUBLIC DEPARTMENTS ACT ACTING MINISTER **APPOINTMENT**

Under authority of subsection 4(2) of the *Public Departments Act*, R.S.P.E.I. 1988, Cap. P–29 the following appointment was made:

Honourable Allan Campbell to be Acting Minister of Agriculture commencing on the 17th of August 2007, and continuing for the duration of the absence from the Province of Honourable Neil LeClair.

ROADS ACT APPROVED WEIGHING DEVICE DESIGNATION

Under authority of subsection 52(1) of the *Roads Act* R.S.P.E.I. 1988, Cap. R-15 Council designated the following weighing device as an approved weighing device for the purpose of weighing commercial vehicles:

Haenni Portable Wheel Weigher Model H-101 Serial #28454

This designation is effective August 25, 2007.