## PART II REGULATIONS

#### EC1999-206

#### GASOLINE TAX ACT REGULATIONS AMENDMENT

(Approved by His Honour the Lieutenant Governor in Council dated 13 April 1999.)

Pursuant to section 9 of the *Gasoline Tax Act* R.S.P.E.I. 1988, Cap. G-3, Council made the following regulations:

### 1. Subsection 1(1) of the Gasoline Tax Act Regulations (EC283/72) is amended

#### (a) by revoking clause (b.01) and substituting the following:

(b.01) "aquaculturist" means a person, firm, corporation, or syndicate registered in this province and actively engaged in the production of aquatic plants and animals for sale and being in possession of the appropriate fish, shellfish, or other permits issued by the federal government;

#### (b) by the addition of the following:

(d.1) "farmer" means a person, firm, corporation, or syndicate registered in this province, actively engaged in farming and cultivating at least five acres of land;

#### (c) by revoking clause (e) and substituting the following:

- (e) "fisherman" means a person, firm, corporation, or syndicate registered in this province, actively engaged in the commercial fishery and being in possession of the appropriate licenses or permits issued by the federal government;
- 2. Clause 15(3)(a) of the regulations is amended by the insertion of the words ", undertaken by a farmer," after the word "operations".
- 3. These regulations come into force on April 24, 1999.

#### EXPLANATORY NOTES

This amendment

- (a) removes any reference to an income requirement for the issuing of marked fuel permits to licensed aquaculturists;
- (b) provides a definition of farmer for the purpose of issuing marked fuel permits to those actively engaged in farming;
- (c) removes the reference to an income requirement for the issuing of marked fuel permits to fishermen actively engaged in the commercial fishery;
- (d) provides for the issuing of marked fuel permits to firms, corporations or syndicates registered in this province and engaged in farming, the commercial fishery, or aquaculture.

There has been no legislative or regulatory authority in the *Gasoline Tax Act* and Regulations allowing for the issuing of marked fuel permits.

Certified a true copy,

Lynn E. Ellsworth Clerk of the Executive Council

#### EC1999-208

#### REVENUE TAX ACT REGULATIONS AMENDMENT

(Approved by His Honour the Lieutenant Governor in Council dated 13 April 1999.)

Pursuant to section 57 of the *Revenue Tax Act* R.S.P.E.I. 1988, Cap. R-14, Council made the following regulations:

1. Subsection 1(1) of the Revenue Tax Act Regulations (EC262/60) is amended by revoking clauses (b.1) and (g) and substituting the following:

aquaculturist

- (b.1) "aquaculturist" means
  - (i) a person who earns at least 25% of the person's gross annual income from the production of aquatic plants and animals for sale and has the appropriate fish, shellfish or other permits issued by the federal government;

- (ii) a firm, corporation or syndicate registered in this province and having at least one officer who
  - (A) earns at least 25% of the officer's gross annual income from the aquaculture operations of the firm, corporation or syndicate, or
  - (B) being an aquaculturist for the purpose of subclause (i), owns not less than fifty per cent of the share capital of the firm, corporation or syndicate;
- (g) "commercial fisherman" means

commercial fisherman

- (i) a person who earns at least 25% of the person's gross annual income from fishing and has the appropriate license or permits issued by the federal government;
- (ii) a firm, corporation or syndicate registered in this province and having at least one officer who
  - (A) earns at least 25% of the officer's gross annual income from the fishing operation of the firm, corporation or syndicate,
  - (B) being a fisherman for the purposes of subclause (i), owns not less than fifty per cent of the share capital of the firm, corporation or syndicate.

#### 2. Subsection 12(8) of the regulations is revoked and the following substituted:

(8) The Minister may refund the tax paid on the purchase of goods by a Refund; part-time farmer while a part-time farmer, a commercial fisherman, or an aquaculturist where

farmer, commercial fisherman, aquaculturist

- (a) application in writing is made by the person seeking the refund;
- (b) receipts or other documentation verifying purchases by the person are presented;
- (c) the goods were exempt to a farmer, commercial fisherman, or aquaculturist at the time of purchase;
- (d) the goods were purchased within five years of the date of application;
- (e) evidence is submitted that would support the person being considered a part-time farmer, a commercial fisherman, or an aquaculturist during the period covered by the application.

#### 3. Section 28 of the regulations is amended

- (a) by the insertion of the words "when purchased by a commercial fisherman for use in fishing" following the words "exempt from tax";
- (b) by the addition in the exemption list of the following:

anti-fouling compound

cleaning tools including brushes, mops and brooms

### 4. Section 28.1 of the regulations is revoked and the following substituted:

Aquaculture supplies

**28.1** For the purpose of clause 12(1)(f.1) of the Act, the following goods are exempt from tax when purchased by an aquaculturist for use in the practice of aquaculture:

-A-

aerators
alarms and monitoring equipment
anaesthetics, antibiotics, disinfectants, medicaments,
pharmaceuticals and vaccines for aquatic species
anchors for mooring of boats, cages and lines
anti-fouling compounds
aprons
augers for harvesting through ice
axes for harvesting through ice

-B-

back up generators baler twine (to reinforce mussel stocking) batteries, marine type only boats, site servicing buoys, floats and markers

-C-

cages and tanks
cement troughs for dipping oyster collectors
chain saws for harvesting through ice
cleaning tools including brushes, mops and brooms
collector supports, including stands, flotation devices and long
lines
complete parts for any goods in this schedule
counters, tallying, measuring boards and weigh scales
crates, scale baskets and stowage and storage boxes

-D-

depth sounders dimmers to control lighting dinghies dipnets dissolved oxygen metres electric motors for operating pumps and equipment electric light bulbs (6, 12 and 32 volts)

-F-

fan belts designed for machinery and equipment used by aquaculturists
fans for hatchery ventilation
feed storage boxes and bins
feeders
fish eggs
fish feed
fish feed additives
fish feed mixers and grinders
fish grading equipment

fish tags and tagging devices

fishing nets

freezers for quick freezing, except cold storage units

-G-

gas tanks for boats gear boxes for operating pumps and equipment GPS equipment

-H-

hoists for feed and fish handling hydraulic pumps, motors, hoses, valves and fittings hydrometers, PH metres, temperature and salinity metres and thermometers

-I-

ice-making machines incubators

-K-

knives for filleting, gutting and shucking and other such equipment

-L-

lime (bluestone) used to kill starfish live fish live spat

-M-

marine paints
marine toilets, galley stoves, refrigerators and furnaces that are
designed for use on boats
measuring boards
microscopes and laboratory glassware
motors, inboard and outboard for fishing boats
mussel de-clumping, debasing, washing and grading equipment

-N-

netting for cages and pens netting floats, mending twine and needles

-O-

oyster harrows, rakes, scoops, scythes spreaders and threshers oxygen generating equipment

-P-

pails and scoops plastic stockings, mesh bags and Japanese lanterns pre-manufactured fish feeders pre-manufactured fish tanks having a minimum volume of one cubic metre

-R-

radar equipment and parts.
radio telephones, ship-to-shore, V.H.F., S.S.B. and C.B.
refrigeration equipment for the preservation of fish food and fish
before delivery to the buyer
resin and fibreglass matting
rope, wire cable, shackles and chains

-S-

scoops for feeding service to any of the goods in this schedule smokers spat collectors and Chinese hats stocking-stuffer tables

-T-

tarpaulins temperature chart recorders timers to control lighting

-W-

water and soil analysers
water circulation systems including pumps, pipes, valves, filters
and fittings
water heaters
water testing equipment
water treatment chemicals
weigh scales for determining food requirements, antibiotic
applications and marketability of live fish
winches, pulleys, towing devices and lifters

#### 5. These regulations come into force on April 24, 1999.

#### EXPLANATORY NOTES

#### **SECTION 1**

 The new definition "aquaculturist" establishes an income threshold that must be met prior to an aquaculturist being issued with a marked gasoline or marked diesel permit allowing the purchase of goods which are exempt of revenue (sales) tax for use in aquaculture.

This definition also provides for a firm, corporation or syndicate to apply for and receive a marked gasoline or marked diesel permit allowing the purchase of goods which are exempt of revenue (sales) tax to be used in aquaculture.

The new definition "commercial fisherman" establishes an income
threshold that must be met by a commercial fisherman prior to being
issued with a marked gasoline or marked diesel permit allowing for
the purchase of goods used in fishing exempt of revenue (sales) tax.

The definition also provides for a firm, corporation or syndicate to qualify for a marked gasoline or diesel permit allowing for the purchase of goods used in the fishery exempt of revenue (sales) tax when purchased by the firm, corporation or syndicate.

#### **SECTION 2**

This amendment provides the regulatory authority for the Minister to give equal consideration to commercial fishermen, aquaculturists, and farmers when they apply for refunds of tax paid on purchases of goods to be used in their occupations.

The amendment also extends the refund period from four years to five to allow for cranberry and blueberry farmers to harvest their first cash crop and qualify as bona fide farmers.

#### **SECTION 3**

- (a) This amendment makes clear that the list of exempt items in section 28 may be purchased only by a commercial fisherman for use in the commercial fisherman's occupation.
- (b) This amendment adds the above items to the list of goods that may be purchased, exempt from revenue (sales) tax, by a commercial fisherman for use in the commercial fisherman's occupation.

#### **SECTION 4**

This amendment provides the list of items in section 28.1 that may only be purchased exempt of tax by a registered aquaculturist in possession of a valid marked gasoline or marked diesel permit when used in the aquaculturist's occupation.

Certified a true copy,

Lynn E. Ellsworth Clerk of the Executive Council

#### EC1999-210

#### VICTIMS OF FAMILY VIOLENCE ACT REGULATIONS AMENDMENT

(Approved by His Honour the Lieutenant Governor in Council dated 13 April 1999.)

Pursuant to section 19 of the *Victims of Family Violence Act* R.S.P.E.I. 1988, Cap. V-3.2, Council made the following regulations:

- 1. Clause 3(b) of the Victims of Family Violence Act Regulations (EC558/96) is amended by the deletion of the words "the Coordinator,".
- 2. Section 7 of the regulations is amended
  - (a) in clause (1)(a), by the insertion of the words "or by affirmation" after the words "under oath"; and
  - (b) in subsection (2), by the insertion of the words "or affirmation" after the words "an oath".
- 3. Section 15 of the regulations is amended
  - (a) by renumbering the existing section as subsection (1);
  - (b) in subsection (1) as renumbered,
    - (i) by the deletion of the words "clause 6(2)(b) or subsection 6(7)" and the substitution of the words "clause 6(2)(b), subsection 6(7), or subsection 10(1)";
    - (ii) by the deletion of the word "and" immediately before the words "to Victim Services" and the addition of the words "and, where a child is identified on the order, to the Director of Child Welfare" immediately after the words "Victim Services";
  - (c) by the addition of the following:
- (2) The form of orders made pursuant to subsection (1) is prescribed in Form of order Schedule 13.
- **4.** Clause 18(b) of the regulations is amended by the deletion of the words "and to Victim Services" and the insertion of the words ", to Victim Services and, where a child is identified on the order, to the Director of Child Welfare".
- **5. Section 26 of the regulations is amended by the deletion of the words** "and to Victim Services" **and the insertion of the words** ", to Victim Services and, where a child is identified on the order, to the Director of Child Welfare".
- 6. (1) Schedules 1, 3, 4, and 12 are revoked and the following are substituted:

(Section 4 of the Victims of Family Violence Act)

PART 1 -

### EMERGENCY PROTECTION ORDER

### SUPREME COURT OF PRINCE EDWARD ISLAND (TRIAL DIVISION)

				(Court	file no.)
BETWEEN					Victim
,		(name)			D 1.
and		(name)			Respondent
		(address)			<del></del>
justice of the pe Supreme Court & VARIES THE C ACT AND REC SHALL BECOM	to this EMI cace pursuant shall review DRDER, YOU GULATIONS IE AN EX P ND AND SH	t to the Victims this ORDER w U WILL BE NO B. OTHERWISE PARTE ORDER [ALL REMAIN I	of Family within five wo DTIFIED, IN A., TAKE NO OF THE SUN EFFECT F	Violence A orking day ACCORI OTICE TI IPREME (	nade by a designated Act. A judge of the ys. IF THE JUDGE DANCE WITH THE HAT THIS ORDER COURT OF PRINCE DURATION OF THE
may be an offen Supreme Court a right to be heard LAWYER for ad	tand to call e	receipt of this O to either se evidence on this	RDER, you et aside or va	have the ry this OF	to obey this ORDER right to apply to the RDER. You have the SH TO CONTACT A
PROVISIONS: Having heard th pursuant to section					immediate protection
I DO ORDER TH		is granted	exclusive	occupatio	n of the following
residence:		from (date)	u	ntil (date)	·
2. A peace offic immediately	er remove th	he respondent fr	om the follo	wing resid	dence
3. A peace office the removal of pe	er accompany ersonal belong	y gings on or befor	e	_ to the r	esidence to supervise person, by telephone
have contact	with				The respondent may following terms
5. The responden	t shall not att	tend at any of the	following pl	aces:	

6 Temporary car	re and custody		-day care of	the following child(reawarded	en): to
7. Temporary possession	on of the following	personal p	roperty	is awarded	1 to
8. The respondent shall the victim has an interes 9. The respondent shall 10. Publication of the respondent shall 11. Other:	est as defined in the not commit any fur	Victims of ther acts of	Family Violer family violer	nce Act.  nce against the victin	
This ORDER is effect (day) (y			n force until	(month)	
Dated ata.m./p.m.	, Prince Edwa	ard Island o	on (month)	(day)(yo	ear)
(Signature of Justice of	the Peace or design	ated persor	n) (Justice of	the Peace Number)	
Confirmed	Varied	or _	Rel	nearing Ordered	by
	,		(Signature o	f Supreme Court Jud	lge)
(date)		-			
PART I - Original (Cou	urt Copy)				
PART 2 -	EMERGENCY P	ROTECTI	ON ORDER		
SUPR	EME COURT OF			SLAND	
	(TRIAI	L DIVISIO		urt file no.)	
BETWEEN			`	Victim	_
BETWEEN	(name)	)			
and	(name)			Responder	ıt
	(address	s)			
TO THE RESPONDEN You are subject to th justice of the peace p Supreme Court shall: VARIES THE ORDE ACT AND REGULA SHALL BECOME AN EDWARD ISLAND A ORDER OR UNTIL A	is EMERGENCY Interpretation to the Vicence of the V	tims of Fa R within fi E NOTIFIE VISE, TAK DER OF TH IN IN EFFI	mily Violence live working D, IN ACCO LE NOTICE LE SUPREM LECT FOR TH	e Act. A judge of days. IF THE JUD DRDANCE WITH T THAT THIS ORD E COURT OF PRIN	the GE HE ER

YOU MUST OBEY THE PROVISIONS OF THIS ORDER. Failure to obey this ORDER may be an offence. Upon receipt of this ORDER, you have the right to apply to the Supreme Court at \_\_\_\_\_\_ to either set aside or vary this ORDER. You have the right to be heard and to call evidence on this matter. You MAY WISH TO CONTACT A

LAWYER for advice respecting this ORDER.

**PROVISIONS:**Having heard the evidence, I find that the victim is in need of immediate protection pursuant to section 4 of the *Victims of Family Violence Act*.

•	, ,	
I DO ORDER	THAT: is granted exclusive occupation of t	he following
residence:	from (date) until (date)	
2 A peace o	officer remove the respondent from the following residence _	
	OR on or before	
the removal of	fficer accompany to the residence f personal belongings on or before dent shall refrain from any contact, direct or indirect, in person, mail or otherwise The res	 by telephone with
have contac	ct with on the follo	
5. The respon-	dent shall not attend at any of the following places:	
6 Tempo	orary care and custody or day-to-day care of the following is awarde	
7. Temporary	possession of the following personal property	is awarded to
9. The respon- 10. Publication 11. Other: This ORDER (day) (ye	R is effective immediately and remains in force until (mear), Prince Edward Island on (month) (da	onth)
	Justice of the Peace or designated person) (Justice of the Peace ndent's Copy)	e Number)
PART 3 -	EMERGENCY PROTECTION ORDER	
	SUPREME COURT OF PRINCE EDWARD ISLAND (TRIAL DIVISION)	
	(Court file no.	)
BETWEEN _		Victim
	(name)	Dagman dage
and _	(name)	Kespondent
-	(address)	

#### TO THE RESPONDENT:

You are subject to this EMERGENCY PROTECTION ORDER made by a designated justice of the peace pursuant to the *Victims of Family Violence Act.* A judge of the Supreme Court shall review this ORDER within five working days. IF THE JUDGE VARIES THE ORDER, YOU WILL BE NOTIFIED, IN ACCORDANCE WITH THE ACT AND REGULATIONS. OTHERWISE, TAKE NOTICE THAT THIS ORDER SHALL BECOME AN EX PARTE ORDER OF THE SUPREME COURT OF PRINCE EDWARD ISLAND AND SHALL REMAIN IN EFFECT FOR THE DURATION OF THE ORDER OR UNTIL A REHEARING IS HELD.

YOU MUST OBEY THE PROVISIONS OF THIS ORDER. Failure to obey this ORDER may be an offence. Upon receipt of this ORDER, you have the right to apply to the Supreme Court at \_\_\_\_\_\_\_ to either set aside or vary this ORDER. You have the right to be heard and to call evidence on this matter. You MAY WISH TO CONTACT A LAWYER for advice respecting this ORDER.

#### **PROVISIONS:**

Having heard the evidence, I find that the victim is in need of immediate protection pursuant to section 4 of the *Victims of Family Violence Act*.

I DO ORDER THAT:			C 41 C	11 '	
1					
	_ ` /	•	,		
2. A peace officer remove immediately					
3. A peace officer accomparthe removal of personal below	ngings on or before			·	
4. The respondent shall refrai				erson, by tel	
by mail	or	other			with
<ul><li>5. The respondent shall not at</li><li>6 Temporary care and</li><li>7. Temporary possession of</li></ul>	custody or day	-to-day care of	f the fo	ollowing chi varded	ild(ren:) to
8. The respondent shall not to the victim has an interest as 6 9. The respondent shall not co 10. Publication of the name a 11. Other:	lefined in the Victims ommit any further act	of Family Viol s of family vio	<i>lence A</i> lence a	ct.	
This ORDER is effective	immediately and re	mains in for	ce unti	1 (month)_	
(day) (year)					
Dated at,a.m./p.m	Prince Edward Islan	d on (month)		_ (day)	_(year)
(Signature of Justice of the Po	eace or designated pe	rson) (Jus	stice of	the Peace N	Jumber)

PART 3 - (Victim's Copy)

#### PART 4 -

#### EMERGENCY PROTECTION ORDER

### SUPREME COURT OF PRINCE EDWARD ISLAND (TRIAL DIVISION)

	`	, ,	(Court file no.)	_
BETWEEN			Victim	
and	,	ame)	Pagnanda	nt
and	(n	ame)	Responde	nı
	(ad	dress)		
You are subjustice of th Supreme Co VARIES TH ACT AND SHALL BEC EDWARD IS ORDER OR YOU MUST may be an of Supreme Corright to be he LAWYER for PROVISION Having hear	e peace pursuant to the urt shall review this OI IE ORDER, YOU WILL REGULATIONS. OTH COME AN EX PARTE SLAND AND SHALL RI UNTIL A REHEARING OBEY THE PROVISION offence. Upon receipt of urt at to eard and to call evidence or advice respecting this CNS:	RDER within five value of Entitle Notified, II HERWISE, TAKE IN ORDER OF THE SEMAIN IN EFFECT IS HELD.  ONS OF THIS ORDER, you either set aside or value on this matter. You or that the victim is in the RDER.	ORDER made by a design Violence Act. A judge of working days. IF THE JUI N ACCORDANCE WITH TOO NOTICE THAT THIS ORI UPREME COURT OF PRIT FOR THE DURATION OF TER. Failure to obey this ORI I have the right to apply to vary this ORDER. You have I MAY WISH TO CONTACT.	the DGE THE DER NCE THE DER of the ethe CT A
I DO ORDEI  1 residence:		granted exclusive	occupation of the follow	wing
	from (c	late)	until (date)	
	officer remove the respo		lowing residence	
3. A peace of	officer accompany		to the residence to super	vise
the removal of	of personal belongings on	or before	indirect, in person, by teleph	one, with
have conta	act with		on the following te	
	adopt shall not attand at a	ny of the following		
•	ndent shall not attend at a porary care and custody		care of the following child(	ren): to
7. Temporary	y possession of the follow	wing personal proper	rty is awarde	d to
	ndent shall not take, conv s an interest as defined in		rwise deal with property in wily Violence Act.	hich

<ul><li>9. The respondent shall not commit any further acts of family violence against the victim.</li><li>10. Publication of the name and address of the victim is prohibited.</li><li>11. Other:</li></ul>
This Order is effective immediately and remains in force until (month)(day)(year)
Dated at, Prince Edward Island on (month) (day)(year),a.m./p.m.
(Signature of Justice of the Peace or designated person) (Justice of the Peace Number)
PART 4 - (Peace Officer's Copy - Affidavit of Service on Reverse)
Reverse of PART 4 - AFFIDAVIT OF SERVICE
I,of
(full name) (place)
MAKE OATH AND SAY (or AFFIRM): (Personal service)  1. THAT on, at, I served with this
(date) (time) (identity of person served) emergency protection order by leaving a true copy with him/her at
OR
(Substituted service) 1. THAT I served with this emergency protection order by
(identity of person served) with this emergency protection order by
serving a true copy on, at, with a person who appeared who appeared time)
to be an adult:
(a) with whom the respondent is residing; (b) who is a member of the respondent's family; or
(c) who is a hember of the respondent's family, of
•
2. THAT I ascertained that was an adult by means of (name)
Sworn ( <i>or</i> Affirmed) before me at
in the county of , )
Province of Prince Edward Island, on )
(date)
)
)
Commissioner for Taking Affidavits) ) Signature

(Section 6 of the Victims of Family Violence Act)

#### SUMMONS

### SUPREME COURT OF PRINCE EDWARD ISLAND (TRIAL DIVISION)

					(Court file	no.)	
BETWEEN _						Victii	n
_			me)				
and						Resp	ondent
		(nai	me)				
		(addı	ress)				
The ORDER	ect to the attached was made by a de	signated	justice of the	e peace	ORDER.		
	nonth)		(day)				year)
	Court has ordere	ed a rehe	aring to dete	ermine who	ther or not	the orde	er should
	pear before a judg	e of the	Supreme Cor	urt at:			
	peur outore u juag	01 1110	supreme co.				
Your cour	t appearance	is	scheduled	for	(Address		
			(date) Edward Is	land on		(tim	
				(mon	th)	(day)	(year)
(Signature of	Registrar)						

If you think that the attached ORDER should not be confirmed, this court appearance will give you the opportunity to explain why.

Pursuant to section 6(6) of the Act, the court may confirm the EMERGENCY PROTECTION ORDER in your absence if you do not attend this rehearing.

Pursuant to section 10(4) of the Act, the EMERGENCY PROTECTION ORDER continues in force until the rehearing.

The EMERGENCY PROTECTION ORDER continues in force upon confirmation by the court unless the court varies, terminates or revokes it pursuant to the Act.

Pursuant to section 16 of the Act, it is an offence under the Act to disobey this order.

(Subsection 6(4) of the Victims of Family Violence Act)

#### NOTICE TO THE VICTIM

### SUPREME COURT OF PRINCE EDWARD ISLAND (TRIAL DIVISION)

	(TREE BIVISION)
	(Court file no.)
BETWEEN _	Victim
	(name)
and	Respondent
	(name)
	(address)
	Court has ordered a rehearing of the EMERGENCY PROTECTION ORDER signated justice of the peace on
	(month) (day) (year)
You may atte	nd the rehearing before a judge of the Supreme Court at:
	on: DateTime: am/pm
(Address of C	
in force until	ection 10(4) of the Act, the EMERGENCY PROTECTION ORDER continues the rehearing.
	ection 6(7) of the Act, at the rehearing, the court may confirm, vary, revoke or EMERGENCY PROTECTION ORDER.
Pursuant to s lawyer at the	ection 6(4)(b) of the Act, you may represent yourself or be represented by a rehearing.
Contact Vict	im Services right away if you wish to have a worker from Victim Services ou to the rehearing.
Victim Service	ces can be reached at (902) 368-4582 (Charlottetown office) or
(902) 888-	8217 (Summerside office) .

(2) The regulations are amended by the addition of Schedules 13 to 16.

(Section 6(2)(b); 6(7); or 10(1) of the  $\it Victims\ of\ Family\ Violence\ Act)$ 

### ORDER FOR CONFIRMATION, REVOCATION, VARIATION OR TERMINATION

### SUPREME COURT OF PRINCE EDWARD ISLAND (TRIAL DIVISION)

			(Court file	e no.)	
EEN				Victi	m
and	(name)			Resn	ondent
und	(name)			rcosp	onacin
	(address)				
REVIEW of an Emerger	ncy Protection	Order dated _			
			(month)	(day)	(year)
y justice of the peace #					
EREBY ORDERED that confirmed evoked erminated; OR varied/changed as follow		er be:			
t	Prince Edv	vard Island on			
	, Timee Law	ard Island On .	(month)	(day)	(year)
re of Supreme Court Jus	stice				
(Section 6(4)	~ ~ ~ ~ ~ ~	OULE 14 ims of Family	Violence Act)		
, , , , ,		THE APPLIC	,		
SUPREME C		RINCE EDWA	ARD ISLANI	D	
	(11111111111111111111111111111111111111	11,101011)	(Court file	e no.)	
EEN				Victi	m
	(name)			, 1011	
and	(name)			Resp	ondent
preme Court has ordered y a designated justice of	d a rehearing of the peace on				
	are required	(month)			
(Name of the applicant)					
e Court at			(day)	( veer)	
(Address of Co	ourtnouse)	(IIIOIIIII)	(day)	(year)	(time)
nt to section 10(4) of the	•				ĺ

in force until the rehearing.

Dated at	Prince Edward Island, o			(year)
		(/	(==,)	()/
Signature of Reg	gistrar			
	SCHEDULE 15 (Section 6(9) of the Victims of Family Vic	olence Act)		
	SUBPOENA TO THE VICTIO	М		
	SUPREME COURT OF PRINCE EDWA (TRIAL DIVISION)	RD ISLAN	ND	
		(Court f	ile no.)	<del></del>
BETWEEN			Vict	im
1	(name)		ъ.	
and			Res	pondent
	(name)			
	(name)			
				N ORDER
made by a desi	(address) ourt has ordered a rehearing of the EMERGE		(day)	(year)
made by a desi  You, the (name of Supreme Court	(address)  ourt has ordered a rehearing of the EMERGE ignated justice of the peace on (month)	ne rehearing	(day) g before a	(year) a judge of
You,the (name of	(address)  ourt has ordered a rehearing of the EMERGE ignated justice of the peace on	ne rehearin	(day) g before a	(year) a judge of a.m
you,the(name of Supreme Court p.m.	(address)  ourt has ordered a rehearing of the EMERGE ignated justice of the peace on (month), are required to attend the fivictim on (Modress of Courthouse) (month)  ion 10(4) of the Act, the EMERGENCY PRO	ne rehearing(day)	(day) g before a	(year) a judge of a.m (time)
You, You, the(name of Supreme Court p.m.  Pursuant to sect in force until the Pursuant to sect	(address)  ourt has ordered a rehearing of the EMERGE ignated justice of the peace on (month), are required to attend the fivictim on (Modress of Courthouse) (month)  ion 10(4) of the Act, the EMERGENCY PRO	day)	(day) g before a (year) ORDER	(year) a judge of a.m (time) continues
you,the(name of Supreme Court p.m.  Pursuant to sect in force until the Pursuant to sect or revoke the EM	(address)  ourt has ordered a rehearing of the EMERGE ignated justice of the peace on	day)  OTECTION  may confin	(day) g before a (year) ORDER	(year) a judge of a.m (time) continues

#### VICTIM ASSISTANCE ORDER

### SUPREME COURT OF PRINCE EDWARD ISLAND (TRIAL DIVISION)

		(Court file	e no.)
BETWEEN			_Victim
and	(name)		Respondent
and	(name)		_Respondent
	( 11 )		_
	(address)		
UPON THE APPLICAT		for a Victim As	sistance Order;
	NG the documents filed;		
	RING the evidence given a		
	submissions on behalf of		
AND UPON FINDING	that family violence has oc	curred:	
	Victim Assistance Order since Act containing the following		on 7 of the
I order that: (Judge's Initials)			
1	is granted exclusive	occupation of the following	ng residence:
from	(date) until	(date)	
	r shall remove the responde		ated at:
before			., 011 011 01
3. A peace office personal belon	r shall accompany to the agings within a specified tir	residence to supervise the me, namely:	removal of
	at shall refrain from any cor		
	at shall stay away from the		
6. Temporary car	re and custody of the follow	ving child(ren): is awa	arded to
	ssession of the following po		
	at shall not take, convert, dathe Victims of Family Viole		
victim.	at shall not commit any furt	·	e against the
10. Publication of	the name and address of th	ie victim is prohibited.	

11. The respondent shall have reasona	· · · · · · · · · · · · · · · · · · ·
12. Other: (e.g. financial support, com	npensation, counselling/treatment, etc.)
THIS ORDER shall remain in effect until or	therwise ordered by a court.
Dated this day of	
(where on consent) CONSENTED TO AS TO FORM AND SUBSTANCE	CONSENTED TO AS TO FORM AND SUBSTANCE:
Solicitor for the Applicant	Solicitor for the Respondent

#### 7. These regulations come into force on April 24, 1999.

#### **EXPLANATORY NOTES**

These amendments are made for consistency with the amended *Victims of Family Violence Act* and in response to suggestions made by officials responsible for administering the Act and regulations.

**SECTION 1.** "The Coordinator" is deleted from clause 3(b) so that, in addition to police, only field staff of Victim Services will be designated persons who may apply for Emergency Protection Orders.

**SECTION 2.** Section 7 is amended to clarify that an affirmation may be administered instead of an oath at a hearing for an Emergency Protection Order.

**SECTION 3.** The addition of "or subsection 10(1)" in subsection 15(1) corrects an oversight. Subsection 15(2) is added to indicate the appropriate form for an Order for Confirmation, Revocation, Variation, or Termination.

**SECTIONS 3, 4, AND 5.** Amendments to sections 15, 18, and 26 of the regulations provide that the Director of Child Welfare will receive notice of hearings and copies of orders in appropriate cases.

**SECTION 6.** Schedule 1, the form for an Emergency Protection Order, is revoked and replaced with a new Schedule 1 that conforms with amendments to the *Victims of Family Violence Act* regarding notice to the respondent and changes certain wording as suggested by officials responsible for administering the Act and regulations.

Schedules 3 and 4 are revoked and replaced with new Schedules 3 and 4 to correct minor errors.

Schedule 12 is revoked for consistency with revoking section 9 of the Act.

Schedules 13 to 16 are added to conform with amendments to the Act and at the request of officials responsible for administering the Act.

Certified a true copy,

Lynn E. Ellsworth Clerk of the Executive Council

#### EC1999-211

#### WILDLIFE CONSERVATION ACT WILDLIFE CONSERVATION FUND REGULATIONS

(Approved by His Honour the Lieutenant Governor in Council dated 13 April 1999.)

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

Wildlife Conservation Fund **1.** (1) The Wildlife Conservation Fund is continued pursuant to the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1.

Fee

(2) Every person who obtains a license or permit for angling, hunting, or trapping pursuant to the Act or any regulations made or continued pursuant to the Act shall pay a Wildlife Conservation Fund fee of \$12.15.

Wildlife Conservation Fund license (3) Where a person has paid the Wildlife Conservation Fund fee pursuant to subsection (2), the Department shall issue a Wildlife Conservation Fund license to the person.

(4) Every Wildlife Conservation Fund license shall expire on March 31 of the year immediately following the issue of the license.

Expiry of license

Prohibition

- (5) No person shall angle, hunt, or trap without being in possession of a valid Wildlife Conservation Fund license.
- (6) Wildlife Conservation Fund fees collected pursuant to subsection Fees paid to Fund (2) shall be paid into the Wildlife Conservation Fund.
- (7) Where a person holds more than one license pursuant to the Act or Multiple licenses any regulations made or continued pursuant to the Act, only one Wildlife Conservation Fund fee shall be collected from that person annually.
- (8) These regulations do not apply to aboriginal persons or persons Exception under the age of sixteen years.
- 2. The Fish and Game Protection Act General Regulations (EC818/66) are amended
  - (a) by the revocation of section 3.1;
  - (b) in Schedule IV, by the deletion of section 8.
- 3. These regulations come into force on April 24, 1999.

#### **EXPLANATORY NOTES**

These regulations continue the Wildlife Conservation Fund to support efforts to manage and conserve wildlife in the province. The fee has been set at \$12.15.

Certified a true copy,

Lynn E. Ellsworth Clerk of the Executive Council

# PART II REGULATIONS INDEX

Chapter Number	Title	Original Order Reference	Amendment	Authorizing Order and Date	Page
F-12	Fish and Game Protection Act General Regulations	EC818/66	s.3.1[rev] Schedule IV [eff] Apr. 24/99	EC1999-211 (13.04.99)	37
G-3	Gasoline Tax Act Regulations	EC283/72	s.1(1)(b.01) [R&S] s.1(1)(d.1) [added] s.1(1)(e) [R&S] s.15(3)(a) [eff] Apr. 24/99	EC1999-206 (13.04.99)	15-16
R-14	Revenue Tax Act Regulations	EC262/60	s.1(1)(b.1) [R&S] s.1(1)(g) [R&S] s.12(8) [R&S] s.28 s.28.1 [R&S] [eff] Apr. 24/99	EC1999-208 (13.04.99)	16-22
V-3.2	Victims of Family Violence Act Regulations	EC558/96	s.3(b) s.7(1)(a) s.7(2) s.15 [renum] 15(1) s.15(1) s.15(2) [added] s.18(b) s.26 Schedules 1, 2, 3, and 4 [R&S] Schedule 12 [rev] Schedules 13, 14, 15 and 16 [added] [eff] Apr. 24/99	EC1999-210 (13.04.99)	22-36
W-4.1	Wildlife Conservation Act Wildlife Conservation Fund Regulations		[new] [eff] Apr. 24/99	EC1999-211 (13.04.99)	36-37