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Charlottetown, Prince Edward Island, May 3, 2008

CANADA

PROVINCE OF PRINCE EDWARD ISLAND IN THE SUPREME COURT - ESTATES DIVISION

TAKE NOTICE that all persons indebted to the following estates must make payment to the personal representative of the estates noted below, and that all persons having any demands upon the following estates must present such demands to the representative within six months of the date of the advertisement:

Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
ACORN, Fred Martin Montague Kings Co., PE May 3, 2008 (18-31)*	Wade Acorn Blair Acorn (EX.)	Cox & Palmer PO Box 516 Montague, PE
ARSENAULT, Joseph Alphonse Mermaid Queens Co., PE May 3, 2008 (18-31)*	Cindy Lee Arsenault (EX.)	Boardwalk Law Offices 220 Water Street Parkway Charlottetown, PE
DIBLING, Joan Margate, PE May 3, 2008 (18-31)*	Andrew M. Dibling (EX.)	Cox & Palmer 82 Summer Street Summerside, PE
GORMLEY, Laurie E. Charlottetown Queens Co., PE May 3, 2008 (18-31)*	Virginia Lynn VanDerVelden Linda Hansen (EX.)	The Law Office of Kathleen Loo Craig PO Box 11 Summerside, PE
LELACHEUR, Myrtle B Georgetown Essex Co. Massachusetts, USA May 3, 2008 (18-31)*	.Seton J. LeLacheur (EX.)	Cox & Palmer PO Box 516 Montague, PE
LEMAY, Marjolaine Stratford Queens Co., PE May 3, 2008 (18-31)*	Marie-France Myers (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
MacDONALD, Evelyn Patricia Mount Stewart	Sharon Kelly (EX.)	Boardwalk Law Offices 220 Water Street Parkway

**Indicates date of first publication in the Royal Gazette.*

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<http://www.gov.pe.ca/royalgazette>

**CANADA
PROVINCE OF PRINCE EDWARD ISLAND
IN THE SUPREME COURT - ESTATES DIVISION**

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Queens Co., PE May 3, 2008 (18-31)*		Charlottetown, PE
McGILL, Pia (Elgaard) Toronto Ontario May 3, 2008 (18-31)*	Charles Anthony Beal (EX.)	Cox & Palmer PO Box 516 Montague, PE
MYERS, Rita Mable Ann Charlottetown Queens Co., PE May 3, 2008 (18-31)*	Faustina Gallant (aka Fostina Gallant) Sheila Coady (EX.)	Catherine M. Parkman Law Office PO Box 1056 Charlottetown, PE
SWINAMER, Paul E. Woburn Middlesex Co. Massachusetts, USA May 3, 2008 (18-31)*	Evelyn M. Swinamer (EX.)	T. Daniel Tweel PO Box 3160 Charlottetown, PE
TRAINOR, Stephen Lawrence (aka Stephen L. Trainor) Stanchel Queens Co., PE May 3, 2008 (18-31)*	Marcel (Marcellus) Trainor (EX.)	Catherine M. Parkman Law Office PO Box 1056 Charlottetown, PE
MONTGOMERY, John Norman Summerside Prince Co., PE May 3, 2008 (18-31)*	Kathy Montgomery (AD.)	David R. Hammond, QC 740A Water Street E. Summerside, PE
BRADLEY, Wilfred Francis South Melville Queens Co., PE April 26, 2008 (17-30)	Emmett Bradley Mary Paquet (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
DEWAR, G. Jean Charlottetown Queens Co., PE April 26, 2008 (17-30)	John W. Maynard Brian Dewar (EX.)	Key McKnight & Maynard PO Box 177 O'Leary, PE
HOLMES, Sharon Brampton	Colin David Holmes Scott Holmes (EX.)	Stewart McKelvey Stirling Scales PO Box 2140

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Ontario April 26, 2008 (17-30)		Charlottetown, PE
MOORE, Myrna Harriet High Bank Kings Co., PE April 26, 2008 (17-30)	Kent Clements (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
SANGSTER, Julia M. Charlottetown Queens Co., PE April 26, 2008 (17-30)	Angela Stephens (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
BELL, Roy Edward Lower Montague Kings Co., PE April 26, 2008 (17-30)	Douglas Matheson Selwyn McAssey (AD.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
BUOTE, David Arthur Edmonton Alberta April 19, 2008 (16-29)	Joan Carol Buote (EX.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
DICKIESON, Phyllis Ethel New Glasgow Queens Co., PE April 19, 2008 (16-29)	Leith Dickieson (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent St. Charlottetown, PE
DOYLE, Bernard Vincent Mount Stewart Queens Co., PE April 19, 2008 (16-29)	Earl V. Doyle (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
ELLSWORTH, Robert Francis Woodvale Prince Co., PE April 19, 2008 (16-29)	Dorothy Marie Ellsworth (EX.)	Cox & Palmer PO Box 40 Alberton, PE
FOLEY, Gerard Joseph Summerside Prince Co., PE April 19, 2008 (16-29)	Margaret Foley (EX.)	Key McKnight & Maynard PO Box 1570 Summerside, PE
JAY, Lily Pearl Stratford	Lynda Landry Gloria Jay (EX.)	T. Daniel Tweel PO Box 3160

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Queens Co., PE April 19, 2008 (16-29)		Charlottetown, PE
LOCKERBY, Lloyd K. Hamilton Prince Co., PED. April 19, 2008 (16-29)	Earle Lockerby Wayne Lockerby Ian Lockerby (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
MOLYNEAUX, Hilda G. Cornwall Queens Co., PE April 19, 2008 (16-29)	Barrie P. Stevenson Vance Molyneaux (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
WALSH, George Elliotvale Kings Co., PE April 19, 2008 (16-29)	Brenda Coles (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MacDONALD, Donalda Marie Little Pond Kings Co., PE April 19, 2008 (16-29)	Reggie MacDonald (AD.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
AYLWARD, Fr. Francis Phelan Charlottetown Queens Co., PE April 12, 2008 (15-28)	Fr. Austin Bradley Fr. Daniel Wilson (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
CARR, George Stanley Bridge Breadalbane RR Queens Co., PE April 12, 2008 (15-28)	Margaret Cole David Cole (EX.)	Lyle & McCabe PO Box 300 Summerside, PE
YOUNG, Mary Janet Stanley Bridge Queens Co., PE April 12, 2008 (15-28)	Rosemary Janet Hossack (EX.)	Matheson & Murray PO Box 875 Charlottetown, PE
MacLAREN, Beachard St. Peters Bay Kings Co., PE April 12, 2008 (15-28)	Lorne MacLaren (AD.)	Boardwalk Law Offices 220 Water Street Parkway Charlottetown, PE
SWANSTON, Mary Kathleen	Father Arthur O'Shea (AD.)	T. Daniel Tweel

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Charlottetown Queens Co., PE April 12, 2008 (15-28)		PO Box 3160 Charlottetown, PE
BUCHANAN, John Alonzo Head of Montague Kings Co., PE April 5, 2008 (14-27)	Eva Buchanan (EX.)	Cox & Palmer PO Box 516 Montague, PE
FERGUSON, Avarad Bell Hampton Queens Co., PE April 5, 2008 (14-27)	Laura Marie Ferguson (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
TUCKER, Margaret Charlottetown Queens Co., PE April 5, 2008 (14-27)	Christopher Marshall Tucker (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
HARDING, Louis Quinn Charlottetown Queens Co., PE April 5, 2008 (14-27)	Jessie Harding (AD.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
MUTCH, Robert Lloyd Mount Herbert Queens Co., PE April 5, 2008 (14-27)	Jonathan Robert Mutch David Lloyd Mutch Georgina Ruth Vardy Rebecca Helen Mutch (AD.)	Catherine M. Parkman Law Office PO Box 1056 Charlottetown, PE
JOHNSTON, John Arnold Kinkora Prince Co., PE March 29, 2008 (13-26)	Sandra Peters (EX.)	Cox & Palmer 82 Summer Street Summerside, PE
YANNI, Margaret Gertrude Charlottetown Queens Co., PE March 29, 2008 (13-26)	Margaret (Marg) Fitzpatrick (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MacPHEE, Francis A. Bayfield Kings Co., PE March 29, 2008 (13-26)	Russell MacPhee (AD.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
BAGLOLE, James <u>David</u> http://www.gov.pe.ca/royalgazette	Elaine Olga Baglole (EX.)	McLellan Brennan

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Bonshaw RR#3 Queens Co., PE March 22, 2008 (12-25)		PO Box 35 Summerside, PE
BOUDREAU, Reginald R. St. Charles Kings Co., PE March 22, 2008 (12-25)	Mildred Gallant (EX.)	Cox & Palmer PO Box 516 Montague, PE
HASHEM, Amal N. Charlottetown Queens Co., PE March 22, 2008 (12-25)	Linda Hashem (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
STEWART, Helen Catherine Hamilton McCoubrey Charlottetown Queens Co., PE March 22, 2008 (12-25)	Norman Fulton Stewart (EX.)	Reagh & Reagh 17 West Street Charlottetown, PE
JENKINS, Bennett "Moyse" Summerside Prince Co., PE March 22, 2008 (12-25)	Jonathan Jenkins (AD.)	Lyle & McCabe PO Box 300 Summerside, PE
SMITH, Patrick Justin Kinkora Prince Co., PE March 15, 2008 (11-24)	Bernard McCabe (EX.)	Cox & Palmer 82 Summer Street Summerside, PE
ADAMOWICZ, Robert Francis Bedford New Hampshire, USA March 15, 2008 (11-24)	Mary-Julie Adamowicz (AD.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
JONES, Janet Ellen Pownal Queens Co., PE March 15, 2008 (11-24)	Paulette Muriel Jones Heather Evelyn Jones (AD.)	Catherine M. Parkman Law Office PO Box 1056 Charlottetown, PE
ARBING, Joseph Daniel Halifax Nova Scotia March 8, 2008 (10-23)	Anna C. Steele-Arbing (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE

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ATKINSON, Thelma Elizabeth Charlottetown Queens Co., PE March 8, 2008 (10-23)	Ron Atkinson Elizabeth Horne (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
BURKE, Vernon Leigh Charlottetown Queens Co., PE March 8, 2008 (10-23)	Robert Leigh Burke (EX.)	Matheson & Murray PO Box 875 Charlottetown, PE
DOUGLAS, Howard Woodrow Charlottetown Queens Co., PE March 8, 2008 (10-23)	Robert H. Hyndman Ralph Green (EX.)	Matheson & Murray PO Box 875 Charlottetown, PE
GRANT, Remegius A. D. Souris Kings Co., PE March 8, 2008 (10-23)	Catherine (Kay) M. Grant (EX.)	Birt & McNeill 138 St. Peters Road Charlottetown, PE
MacINTYRE, Annie Matilda Charlottetown Queens Co., PE March 8, 2008 (10-23)	Anne Veronica Millar (EX.)	Catherine M. Parkman Law Office PO Box 1056 Charlottetown, PE
MacLURE, Dorothy Mae Charlottetown Queens Co., PE March 8, 2008 (10-23)	Mary MacKenzie (EX.)	Matheson & Murray PO Box 875 Charlottetown, PE
STEWART, James Alden Brudenell Kings Co., PE March 8, 2008 (10-23)	Verna Pidgeon (EX.)	Reagh & Reagh 17 West Street Charlottetown, PE
TURNER, Jean A. Winsloe Queens Co., PE March 8, 2008 (10-23)	Alan Turner Dorothy Smith (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
WILSON, Harold Ernest Cornwall Queens Co., PE March 8, 2008 (10-23)	Adam Wilson (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE

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CARRAGHER, John Emmett Kelly's Cross Queens Co., PE March 8, 2008 (10-23)	Gerianne Carragher (AD.)	Boardwalk Law Offices 220 Water Street Charlottetown, PE
JAY, Donald George Charlottetown Queens Co., PE March 8, 2008 (10-23)	Linda Farrar Alfred Jay (AD.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
COADY, Joseph Allan Cornwall Queens Co., PE March 1, 2008 (09-22)	Anna Suzanna Kathleen Coady (EX.)	Paul J. D. Mullin, QC 4 Great George Street Charlottetown, PE
HAMBLY, William L. Kinlock Queens Co., PE March 1, 2008 (09-22)	William R. (Bill) Hambly Wayne Hambly Katherine Hambly (EX.)	Stewart McKelvey Stirling Scales PO Box 2140 Charlottetown, PE
LACEY, Eileen Joan Dundas Ontario March 1, 2008 (09-22)	Vincent Peter Lacey (EX.)	MacKinnon Law Associates 860 Queenston Road Stoney Creek, ON
MARCHE, Bernice Regis Dartmouth Nova Scotia March 1, 2008 (09-22)	Vincent Camillus Marche (EX.)	Ramsay & Clark PO Box 96 Charlottetown, PE
BOLGER, Floris Margaret Charlottetown Queens Co., PE February 23, 2008 (08-21)	Rea Lane (EX.)	E. W. Scott Dickieson Law Office PO Box 1453 Charlottetown, PE
MacDONALD, Charles Fred Darnley Prince Co., PE February 23, 2008 (08-21)	Adam James MacDonald (EX.)	Adam MacDonald Apt. 53, 40 Kent Street Charlottetown, PE
PETERS, Claire "Gertrude" Charlottetown Queens Co., PE February 23, 2008 (08-21)	Anne Millar Patrick McMurray (EX.)	Catherine M. Parkman Law Office PO Box 1056 Charlottetown, PE

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ROPER, James Louis Waldren Charlottetown Queens Co., PE February 23, 2008 (08-21)	Anne McMullin (EX.)	E. W. Scott Dickieson Law Office PO Box 1453 Charlottetown, PE
WOOLNOUGH, Hilda Mary Breadalbane Queens Co., PE February 23, 2008 (08-21)	Lee Jane Wiencki Daniel George Hopkins John Robert Hopkins (EX.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
CANNON, George E. Victoria Queens Co., PE February 16, 2008 (07-20)	Jason G. Cannon (EX.)	T. Daniel Tweel PO Box 3160 Charlottetown, PE
DAVIS, Gerald Michael (also known as Gary Davis) Charlottetown Queens Co., PE February 16, 2008 (07-20)	Lynn Burke-Davis (EX.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
GILL, George Basil Mount Herbert Queens Co., PE February 16, 2008 (07-20)	Mary C. Gill (EX.)	Cox & Palmer PO Box 486 Charlottetown, PE
MacDOUGALL, Roma N. Argyle Shore Queens Co., PE February 16, 2008 (07-20)	Fraser MacDougall (EX.)	The Law Office of Kathleen Loo Craig PO Box 11 Summerside, PE
MacKINNON, Edward Louis St. Peters Kings Co., PE February 16, 2008 (07-20)	Lois C. MacKinnon (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MacLEOD, Wendell Matheson Forest Hill, St. Peters Bay RR#3 Kings Co., PE February 16, 2008 (07-20)	Kent Poole (EX.)	Catherine M. Parkman Law Office PO Box 1056 Charlottetown, PE
McIVER, A. Kathleen Charlottetown Queens Co., PE February 16, 2008 (07-20)	Jean Ronahan Mary Claire Saunders Susan Ashley (EX.)	Cox & Palmer 82 Summer Street Summerside, PE

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NICHOLSON, Robert Alexander Mississauga Ontario February 16, 2008 (07-20)	Lori Lynn Nielsen (EX.)	E. W. Scott Dickieson Law Office PO Box 1453 Charlottetown, PE
CONWAY, Daniel Souris Kings Co., PE February 16, 2008 (07-20)	Debra Mahar (AD.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
CAMPBELL, Clifford Russell Charlottetown Queens Co., PE February 9, 2008 (06-19)	Edna Margaret Campbell (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
DWAN, Joyce Ann Hamilton Ontario February 9, 2008 (06-19)	Lynn Gaythorne Stempski (EX.)	Cox & Palmer PO Box 516 Montague, PE
KELLY, Beatrice A. Marshfield, Charlottetown RR#3 Queens Co., PE February 9, 2008 (06-19)	Joyce Collins (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MacBEATH, A. Athol Charlottetown Queens Co., PE February 9, 2008 (06-19)	Alexander A. MacBeath Gordon L. MacBeath Malcolm D. MacBeath (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
MacDONALD, Gordon W. Charlottetown Queens Co., PE February 9, 2008 (06-19)	D. Alan MacDonald (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
WERNER, Jacqueline Summerside Prince Co., PE February 9, 2008 (06-19)	Michael Werner, Jr. (EX.)	Lyle & McCabe PO Box 300 Summerside, PE
FLYNN, Patricia Anne Charlottetown Queens Co., PE February 9, 2008 (06-19)	John P. Flynn, Sr. (AD.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE

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GALLANT, Mona Lee Winsloe Queens Co., PE February 9, 2008 (06-19)	Ferdinand Gallant Erma Gallant (AD.)	Cox & Palmer 82 Summer Street Summerside, PE
MacKINNON, Peter D. Forest Hill Kings Co., PE February 9, 2008 (06-19)	Eldon MacKinnon (AD.)	Campbell Lea PO Box 429 Charlottetown, PE
GALLANT, Charles Charlottetown Queens Co., PE February 2, 2008 (05-18)	John Gallant (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
GALLANT, Mary C. Charlottetown Queens Co., PE February 2, 2008 (05-18)	John Gallant (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
RACETTE, Effie Summerside Prince Co., PE February 2, 2008 (05-18)	Robert Racette (EX.)	Cox & Palmer 82 Summer Street Summerside, PE
TAYLOR, Karen A. RR#3 Ashton Ontario February 2, 2008 (05-18)	Patricia Campbell Clifford Taylor (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MacDONALD, Gerald James Miscouche Prince Co., PE February 2, 2008 (05-18)	Laura Mary MacDonald (AD.)	Ramsay & Clark PO Box 96 Summerside, PE

The following orders were approved by Her Honour the Lieutenant Governor in Council dated 22 April 2008.

EC2008-252**FATHERS OF CONFEDERATION BUILDINGS ACT
FATHERS OF CONFEDERATION BUILDINGS TRUST
APPOINTMENT**

Pursuant to subsection 3(2) of the *Fathers of Confederation Buildings Act* R.S.P.E.I. 1988, Cap. F-6, Council made the following appointment:

NAME	TERM OF APPOINTMENT
Hon. Erik Nielsen Whitehorse, Yukon (reappointed)	30 June 2007 to 30 June 2010

EC2008-272**MARITIME PROVINCES HARNESS RACING COMMISSION ACT
MARITIME PROVINCES HARNESS RACING COMMISSION
NOMINATION**

Pursuant to section 4 of the *Maritime Provinces Harness Racing Commission Act* R.S.P.E.I. 1988, Cap. M-13, Council nominated the following member for appointment:

NAME	TERM OF APPOINTMENT
Donald A. Smith Pownal (vice Patrick Murphy, term expired)	1 April 2008 to 1 April 2011

Signed,

Robert Allan Rankin
Clerk of the Executive Council

PROCLAMATION

CANADA

PROVINCE OF PRINCE EDWARD ISLAND

(Great Seal)

ELIZABETH THE SECOND, by the
Grace of God of the United Kingdom,
Canada and Her other Realms and
Territories, QUEEN, Head of the
Commonwealth, Defender of the Faith.

Hon. BARBARA A. HAGERMAN
Lieutenant Governor

TO ALL TO WHOM these presents shall come or whom the same may in any wise concern:

GREETING
A PROCLAMATION

WHEREAS in and by section 36 of Chapter 4 of the Acts passed by the Legislature of Prince Edward Island in the 2nd Session thereof held in the year 2008 and in the fifty-seventh year of Our Reign intituled "Beverage Containers Act" it is enacted as follows:

"This Act comes into force on a date that may be fixed by proclamation of the Lieutenant Governor in Council."

AND WHEREAS it is deemed expedient that the said Act, Stats. P.E.I. 2008, 2nd Session, c. 3 should come into force as follows:

Sections 1, 3, 4(2), 4(3), 5, 6, 7, 9(2) through 9(12), 13(2), 13(3), 13(4), 13(6) through 13(10), 13(12), 13(13), 13(16), 13(17), 19, 22, 23, 28 through 31, 33 and 36 to come into force effective April 29, 2008;

Sections 2, 4(1), 8, 9(1), 10, 11, 12, 13(1), 13(5), 13(11), 13(14), 13(15), 14 through 18, 20, 21, 24 through 27, 32 and 34 to come into force effective May 3, 2008; and

Section 35 to come into force effective August 1, 2008.

NOW KNOW YE that We, by and with the advice and consent of our Executive Council for Prince Edward Island, do by this Our Proclamation ORDER AND DECLARE that the said Act being the "Beverage Containers Act" passed in the fifty-seventh year of Our Reign shall come into force as noted above, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these Our Letters to be made Patent and the Great Seal of Prince Edward Island to be hereunto affixed.

WITNESS the Honourable Barbara A. Hagerman, Lieutenant Governor of the Province of Prince Edward Island, at Charlottetown this twenty-ninth day of April in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

By Command,
ROBERT ALLAN RANKIN
Clerk of the Executive Council

ERRATUM

Notice is hereby given of an error in Minute-in-Council M2008-1 of 1 April 2008 re Ministerial Responsibility for Various Boards, Commissions and Agencies as at 3 April 2008, appearing on pages 326-334, Part I of Volume CXXXIV- NO. 16 of the Royal Gazette dated April 19, 2008. There is an error at No. 65. ISLAND REGULATORY AND APPEALS COMMISSION. The Minister responsible should read Minister of Education and Early Childhood Development, not Minister of Education and Advanced Learning. M2008-1 has been revised and reissued to correct this error.

Robert Allan Rankin
Clerk of the Executive Council

**EPPEI 08-03
EGG PRODUCERS OF PRINCE EDWARD ISLAND**

**BOARD ORDER: EPPEI 08-03
EFFECTIVE: April 27, 2008
ISSUED: April 24, 2008**

Under the *Natural Products Marketing Act*, R.S.P.E.I.1988, Cap. N-3, the Egg Commodity Marketing Regulations and the Prince Edward Island Egg Order made pursuant to the Agricultural Products Marketing Act (Canada), the Egg Producers of Prince Edward Island makes the following Order:

PRICE DETERMINATION ORDER - AMENDMENT

- Application 1. This Order amends the prices contained in Section 4 of Board Order 86-7.
- Prices Amended 2. Section 4 of Board Order 86-7 is hereby amended by the deletion of clauses (a), (b) and (d) and the substitution thereof of the following:

(a) minimum Canada Grade A Producer Price by the dozen:

Extra Large	\$1.67
Large	\$1.67
Medium	\$1.55
Small	\$1.07

(b) suggested minimum Canada Grade A Wholesale Carton Price:

Extra Large	\$2.27
Large	\$2.24
Medium	\$2.12
Small	\$1.64

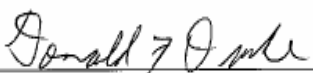
(d) minimum Canada Grade A Spot Price:

Extra Large	\$2.14
Large	\$2.11
Medium	\$1.99
Small	\$1.51

- Commencement 3. This Order shall come into force on the 27th day of April, 2008.

Dated at Charlottetown, Prince Edward Island, this 24th day of April, 2008.


Leith Murray, Chairman


Donald Drake, Secretary

NOTICE OF DISSOLUTION

Partnership Act
R.S.P.E.I. 1988, Cap. P-1

Public Notice is hereby given that a Notice of Dissolution has been filed under the *Partnership Act* for each of the following:

Name: JEREMY POWER'S AUTO
Owner: Jeremy Power
Registration Date: April 21, 2008

Name: K & D PAINTING
Owner: Kline DeRosche
Allison Woodgate
Registration Date: April 23, 2008

Name: STRICKLAND CUSTOM
CREATIONS
Owner: Chris Strickland
Registration Date: April 23, 2008

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**NOTICE OF GRANTING
LETTERS PATENT**

Companies Act
R.S.P.E.I. 1988, Cap. C-14, s.11,

Public Notice is hereby given that under the *Companies Act* Letters Patent have been issued by the Minister to the following:

Name: 100972 P.E.I. INC.
c/o P.O. Box 522
Charlottetown, PE C1A 7L1
Incorporation Date: April 23, 2008

Name: 101001 P.E.I. INC.
23 Summer Street
Charlottetown, PE C1A 2P7
Incorporation Date: April 22, 2008

Name: 101037 P.E.I. INC.
83 Greenfield Avenue
Charlottetown, PE C1A 3X8
Incorporation Date: April 23, 2008

Name: ADAMS SEA VIEW COTTAGES
2008 LTD.
R R # 2
Kensington, PE C0B 1M0
Incorporation Date: April 23, 2008

Name: CAISSIE IMAGING INC.
380 Brophy Avenue
Summerside, PE C1N 5S4
Incorporation Date: April 24, 2008

Name: CONCO HOLDINGS LTD.
22 Sundance Lane
Stratford, PE C1B 1L9
Incorporation Date: April 24, 2008

Name: ISLAND PREGNANCY CARE &
SUPPORT SERVICES INC.
420 University Avenue, Suite 206
Charlottetown, PE C1A 9H6
Incorporation Date: April 22, 2008

Name: ISLAND TOWING AND
RECOVERY LTD.
15 Westwood Crescent
Charlottetown, PE C1A 8X4
Incorporation Date: April 23, 2008

Name: PRIVATEERS ENTERPRISES INC.
247 Ferry Road
Cornwall, PE C0A 1H0
Incorporation Date: April 22, 2008

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**NOTICE OF GRANTING
SUPPLEMENTARY LETTERS PATENT**

Companies Act
R.S.P.E.I. 1988, Cap. C-14, s.18, s.3

Public Notice is hereby given that under the *Companies Act* supplementary letters patent have been issued by the Minister to the following:

Name: ABEGWEIT DRIVING SCHOOL LTD.
Purpose To increase the authorized capital.
Effective Date: April 22, 2008

Name: BERNARD'S WELDING LTD.
Purpose To increase the authorized capital.
Effective Date: April 23, 2008

Name: ST. FELIX GOLF & COUNTRY
CLUB LTD.
Purpose To increase the authorized capital.
Effective Date: April 23, 2008

Name: SUMMERSIDE 29 CO. LTD.
Purpose To increase the authorized capital.
Effective Date: April 23, 2008

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NOTICE OF REGISTRATION*Partnership Act*

R.S.P.E.I. 1988, Cap. P-1, s.52 and s.54(1)

Public Notice is hereby given that the following Declarations have been filed under the *Partnership Act*:

Name: RSA
Owner: Royal & Sun Alliance Insurance
Company of Canada
10 Wellington Street East
Toronto, ON M5E 1L5
Registration Date: April 21, 2008

Name: FLIGHT CENTRE ASSOCIATES
Owner: THE FLIGHT SHOPS INC.
15th Floor - 1040 West Georgia Street
Vancouver, BC V6E 4H8
Registration Date: April 21, 2008

Name: ELAVON
Owner: ELAVON CANADA COMPANY
1959 Upper Water Street
Suite 900
Halifax, NS B3J 3N2
Registration Date: April 22, 2008

Name: TRANSPORT GINGRAS
Owner: NESEL FAST FREIGHT
INCORPORATED
20 Holland Drive
Bolton, ON L7E 1G6
Registration Date: April 21, 2008

Name: LOT 30 RESTAURANT
Owner: BINARY HOLDINGS INC.
Hunter River, PE C0A 1N0
Registration Date: April 23, 2008

Name: AFC
Owner: AUTOMOTIVE FINANCE
CANADA INC.
50 Burnhamthorpe Road West
Suite 800
Mississauga, ON L5B 3C2
Registration Date: April 23, 2008

Name: DENTAL CARE ON WALKER
Owner: DR. TARA THOMPSON
DENTISTRY INC.
645 Water Street East
Summerside, PE C1N 4H9
Registration Date: April 25, 2008

Name: A & W PAINTING
Owner: Allison Woodgate
21 Water Street
Charlottetown, PE C1A 1A2
Registration Date: April 23, 2008

Name: ALL OCCASION CATERING
Owner: Pearl MacKinnon
P.O. Box 1382
Charlottetown, PE C1A 7N1
Registration Date: April 24, 2008

Name: BCL ENTERPRISES
Owner: David Bourque
Music Section, Steele Building
UPEI, 550 University Avenue
Charlottetown, PE C1A 4P5
Registration Date: April 21, 2008

Name: DRS INSTALLATIONS
Owner: Daniel Saucier
20 Bonnie Blink Dr.
Charlottetown, PE C1C 1K2
Registration Date: April 23, 2008

Name: EASTERN CATTLE AND MAPLE
FARM
Owner: Stephen Glover
Box 395, Kensington, PE C0B 1M0
Registration Date: April 22, 2008

Name: HAL MILLS CONSULTING
Owner: Harold (Hal) Mills
3864 Dixon Road
Breadalbane, PE C0A 1E0
Registration Date: April 24, 2008

Name: JEREMY POWER'S AUTO
Owner: Jeremy Power
1235 Ft. Augustus Road
R R # 5
Charlottetown, PE C1A 7J8
Owner: Toby Power
1235 Ft. Augustus Road
R R # 5
Charlottetown, PE C1A 7J8
Registration Date: April 21, 2008

Name: JILL HARDY PHOTOGRAPHY
Owner: Jill Hardy
1744 Linkletter Road
Summerside, PE C1N 4J8
Registration Date: April 22, 2008

Name: JOHN F. BURKA
 Owner: John F. Burka
 7 Barrymore Court
 Charlottetown, PE C1A 8C6
 Registration Date: April 24, 2008

Name: MORRIS CODE
 Owner: John Morris
 73-1 Water Street
 Charlottetown, PE C1A 1A5
 Registration Date: April 22, 2008

Name: PRETTY LIPS COSMETIC
 BOUTIQUE
 Owner: Sally Curtis
 80 Kent Street
 Charlottetown, PE C1A 1N1
 Registration Date: April 23, 2008

Name: SILAS SHARPENING SERVICE
 Owner: Robert Mowbray
 4-169 Belmont Street
 Summerside, PE C1N 1K1
 Registration Date: April 24, 2008

Name: STRICKLANDS CUSTOM
 CREATIONS
 Owner: Greg Joseph Strickland
 228 First St.
 Summerside, PE C1N 1G2
 Registration Date: April 23, 2008

Name: THE WHY LOFTS
 Owner: Queens County Condominium
 Corp. No. 14
 Box 1567, Charlottetown, PE C1A 7N3
 Registration Date: April 22, 2008

Name: TRUE IMAGE PHOTOGRAPHY &
 DESIGNS
 Owner: Patty Hardy
 1084 Ellerslie Road
 Ellerslie, PE C0B 1J0
 Registration Date: April 24, 2008

18

**NOTICE
 MARRIAGE ACT**
 Prince Edward Island
 [Subsection 8(1) of the Act]

Notice is hereby published that, under the authority of the *Marriage Act*, the following clergy has been **Registration cancelled** for the purpose of solemnizing marriage in the province of Prince Edward Island:

Rev. Raymond J. MacDonald
 Summerside, PE

T.A. Johnston
 Director of Vital Statistics

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**NOTICE
 MARRIAGE ACT**
 Prince Edward Island
 [Subsection 8(1) of the Act]

Notice is hereby published that, under the authority of the *Marriage Act*, the following clergy has been **temporarily registered from May 24, 2008 to June 7, 2008** for the purpose of solemnizing marriage in the province of Prince Edward Island:

Rev. David Steffy
 C/O Immaculate conception Parish
 31013 Route 2
 Richmond, PE C0B 1Y0

T.A. Johnston
 Director of Vital Statistics

18

**NOTICE
 MARRIAGE ACT**
 Prince Edward Island
 [Subsection 8(1) of the Act]

Notice is hereby published that, under the authority of the *Marriage Act*, the following clergy has been **temporarily registered from May 31, 2008 to August 8, 2008** for the purpose of solemnizing marriage in the province of Prince Edward Island:

Rev. Joseph LeClair
 Blessed Sacrament Parish
 164 Fourth Ave
 Ottawa, ON K1S 2L6

T.A. Johnston
 Director of Vital Statistics

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NOTICE OF TAX SALE

There will be sold at public auction at the Prince County Courthouse, Summerside, Prince Edward Island on Wednesday, May 7th, A.D. 2008, at the hour of 12:15 in the afternoon, real property located at Brae, in Prince County, Prince Edward Island, being identified as **parcel number 58594**, and assessed in the name of the **estate of Mrs. Frank (Margaret) Bryanton**.

This property is being sold for non-payment of taxes in accordance with Section 16 of the *Real Property Tax Act*. A more complete legal description may be obtained by contacting Matthew B. MacFarlane of the law firm of Key, McKnight & Maynard, at 494 Granville Street, Summerside, Prince Edward Island, C1N 4K4, who acts for the Province in connection with this sale.

The said property will be sold subject to a reserve bid and conditions of sale.

DATED at O'Leary, Prince Edward Island, this 21st day of April, A.D., 2008.

J.B. RAMSAY

Provincial Tax Commissioner for P.E.I.

17-18

NOTICE OF TAX SALE

There will be sold at public auction at the Prince County Courthouse, Summerside, Prince Edward Island on Wednesday, May 7th, A.D. 2008, at the hour of 12:15 in the afternoon, real property located at Forestview, in Prince County, Prince Edward Island, being identified as **parcel number 49023**, and assessed in the name of **George DesRoches**.

This property is being sold for non-payment of taxes in accordance with Section 16 of the *Real Property Tax Act*. A more complete legal description may be obtained by contacting Matthew B. MacFarlane of the law firm of Key, McKnight & Maynard, at 494 Granville Street, Summerside, Prince Edward Island, C1N 4K4, who acts for the Province in connection with this sale.

The said property will be sold subject to a reserve bid and conditions of sale.

DATED at O'Leary, Prince Edward Island, this 21st day of April, A.D., 2008.

J.B. RAMSAY

Provincial Tax Commissioner for P.E.I.

17-18

NOTICE OF TAX SALE

There will be sold at public auction at the Prince County Courthouse, Summerside, Prince Edward Island on Wednesday, May 7th, A.D. 2008, at the hour of 12:15 in the afternoon, real property located at 11 Sea Shell Lane, Maximeville, in

<http://www.gov.pe.ca/royalgazette>

Prince County, Prince Edward Island, being identified as **parcel number 670653-000**, and assessed in the names of **Jimmie L. Phillips** and **Joan Dibling**.

This property is being sold for non-payment of taxes in accordance with Section 16 of the *Real Property Tax Act*. A more complete legal description may be obtained by contacting Matthew B. MacFarlane of the law firm of Key, McKnight & Maynard, at 494 Granville Street, Summerside, Prince Edward Island, C1N 4K4, who acts for the Province in connection with this sale.

The said property will be sold subject to a reserve bid and conditions of sale.

DATED at O'Leary, Prince Edward Island, this 21st day of April, A.D., 2008.

J.B. RAMSAY

Provincial Tax Commissioner for P.E.I.

17-18

NOTICE OF TAX SALE

There will be sold at public auction at the Prince County Courthouse, Summerside, Prince Edward Island on Wednesday, May 7th, A.D. 2008, at the hour of 12:15 in the afternoon, real property located at St. Hubert, in Prince County, Prince Edward Island, being identified as **parcel number 419002**, and assessed in the name of **Frank J. Gallant**.

This property is being sold for non-payment of taxes in accordance with Section 16 of the *Real Property Tax Act*. A more complete legal description may be obtained by contacting Matthew B. MacFarlane of the law firm of Key, McKnight & Maynard, at 494 Granville Street, Summerside, Prince Edward Island, C1N 4K4, who acts for the Province in connection with this sale.

The said property will be sold subject to a reserve bid and conditions of sale.

DATED at O'Leary, Prince Edward Island, this 21st day of April, A.D., 2008.

J.B. RAMSAY

Provincial Tax Commissioner for P.E.I.

17-18

NOTICE OF TAX SALE

There will be sold at public auction at the Georgetown Court House, Georgetown, Prince Edward Island, on Friday, the 16th day of May, A.D. 2008, at the hour of 12:00 o'clock noon, real property located at Little Pond, Kings County, Prince Edward Island, being identified as **parcel number 428250**, assessed in the name of **HERBERT BLACKETT**.

This property is being sold for non-payment of taxes in accordance with section 16 of the *Real Property Tax Act*. A more complete legal description may be obtained by contacting Ewan W. Clark of the law firm of Cox & Palmer, at 554 Main Street, Montague, PEI, C0A 1R0, who acts for the Province in connection with this sale.

The said property will be sold subject to a reserve bid and conditions of sale.

DATED at Montague, Prince Edward Island, this 18th day of April, A.D. 2008.

J. B. RAMSAY

Provincial Tax Commissioner for P.E.I.

17-18

NOTICE OF TAX SALE

There will be sold at public auction at the Georgetown Court House, Georgetown, Prince Edward Island, on Friday, the 16th day of May, A.D. 2008, at the hour of 12:00 o'clock noon, real property located at Fortune Bridge, Kings County, Prince Edward Island, being identified as **parcel number 150425**, assessed in the name of **WILLIAM K. BURKE & MARILYN BURKE WALSH**.

This property is being sold for non-payment of taxes in accordance with section 16 of the *Real Property Tax Act*. A more complete legal description may be obtained by contacting Ewan W. Clark of the law firm of Cox & Palmer, at 554 Main Street, Montague, PEI, C0A 1R0, who acts for the Province in connection with this sale.

The said property will be sold subject to a reserve bid and conditions of sale.

DATED at Montague, Prince Edward Island, this 18th day of April, A.D. 2008.

J. B. RAMSAY

Provincial Tax Commissioner for P.E.I.

17-18

<http://www.gov.pe.ca/royalgazette>

NOTICE OF TAX SALE

There will be sold at public auction at the Georgetown Court House, Georgetown, Prince Edward Island, on Friday, the 16th day of May, A.D. 2008, at the hour of 12:00 o'clock noon, real property located at Fortune Bridge, Kings County, Prince Edward Island, being identified as **parcel number 150474**, assessed in the name of **KATELON SHANDLER**.

This property is being sold for non-payment of taxes in accordance with section 16 of the *Real Property Tax Act*. A more complete legal description may be obtained by contacting Ewan W. Clark of the law firm of Cox & Palmer, at 554 Main Street, Montague, PEI, C0A 1R0, who acts for the Province in connection with this sale.

The said property will be sold subject to a reserve bid and conditions of sale.

DATED at Montague, Prince Edward Island, this 18th day of April, A.D. 2008.

J. B. RAMSAY

Provincial Tax Commissioner for P.E.I.

17-18

NOTICE OF TAX SALE

There will be sold at public auction at the Georgetown Court House, Georgetown, Prince Edward Island, on Friday, the 16th day of May, A.D. 2008, at the hour of 12:00 o'clock noon, real property located at Annandale, Kings County, Prince Edward Island, being identified as **parcel number 153742**, assessed in the name of **SUMNER STONE**.

This property is being sold for non-payment of taxes in accordance with section 16 of the *Real Property Tax Act*. A more complete legal description may be obtained by contacting Ewan W. Clark of the law firm of Cox & Palmer, at 554 Main Street, Montague, PEI, C0A 1R0, who acts for the Province in connection with this sale.

The said property will be sold subject to a reserve bid and conditions of sale.

DATED at Montague, Prince Edward Island, this 18th day of April, A.D. 2008.

J. B. RAMSAY

Provincial Tax Commissioner for P.E.I.

17-18

NOTICE OF TAX SALE

There will be sold at public auction at the Georgetown Court House, Georgetown, Prince Edward Island, on Friday, the 16th day of May, A.D. 2008, at the hour of 12:00 o'clock noon, real property located at 733 Strathcona Road, Rte 312, Strathcona, Kings County, Prince Edward Island, being identified as **parcel number 156844**, assessed in the name of **ARTHUR MacDONALD**.

This property is being sold for non-payment of taxes in accordance with section 16 of the *Real Property Tax Act*. A more complete legal description may be obtained by contacting

Ewan W. Clark of the law firm of Cox & Palmer, at 554 Main Street, Montague, PEI, C0A 1R0, who acts for the Province in connection with this sale.

The said property will be sold subject to a reserve bid and conditions of sale.

DATED at Montague, Prince Edward Island, this 18th day of April, A.D. 2008.

J. B. RAMSAY

Provincial Tax Commissioner for P.E.I.

17-18

NOTICE OF TAX SALE

There will be sold at public auction at the Georgetown Court House, Georgetown, Prince Edward Island, on Friday, the 16th day of May, A.D. 2008, at the hour of 12:00 o'clock noon, real property located at Albion Cross, Kings County, Prince Edward Island, being identified as **parcel number 165266**, assessed in the name of **ESTATE OF DANIEL MacKAY**.

This property is being sold for non-payment of taxes in accordance with section 16 of the *Real Property Tax Act*. A more complete legal description may be obtained by contacting Ewan W. Clark of the law firm of Cox & Palmer, at 554 Main Street, Montague, PEI, C0A 1R0, who acts for the Province in connection with this sale.

The said property will be sold subject to a reserve bid and conditions of sale.

DATED at Montague, Prince Edward Island, this 18th day of April, A.D. 2008.

J. B. RAMSAY

Provincial Tax Commissioner for P.E.I.

17-18

NOTICE OF TAX SALE

There will be sold at public auction at the Georgetown Court House, Georgetown, Prince Edward Island, on Friday, the 16th day of May, A.D. 2008, at the hour of 12:00 o'clock noon, real property located at Murray River, Kings County, Prince Edward Island, being identified as **parcel number 287748**, assessed in the name of **MRS. LLOYD WILSON**.

This property is being sold for non-payment of taxes in accordance with section 16 of the *Real Property Tax Act*. A more complete legal description may be obtained by contacting Ewan W. Clark of the law firm of Cox & Palmer, at 554 Main Street, Montague, PEI, C0A 1R0, who acts for the Province in connection with this sale.

The said property will be sold subject to a reserve bid and conditions of sale.

DATED at Montague, Prince Edward Island, this 18th day of April, A.D. 2008.

J. B. RAMSAY

Provincial Tax Commissioner for P.E.I.

17-18

NOTICE OF TAX SALE

There will be sold at public auction at the Georgetown Court House, Georgetown, Prince Edward Island, on Friday, the 16th day of May, A.D. 2008, at the hour of 12:00 o'clock noon, real property located at 754 Selkirk Road, Rte 309, St. Charles, Kings County, Prince Edward Island, being identified as **parcel number 434910**, assessed in the name of **MAUREEN CAMPBELL-ROSS**.

This property is being sold for non-payment of taxes in accordance with section 16 of the *Real Property Tax Act*. A more complete legal description may be obtained by contacting Ewan W. Clark of the law firm of Cox & Palmer, at 554 Main Street, Montague, PEI, C0A 1R0, who acts for the Province in connection with this sale.

The said property will be sold subject to a reserve bid and conditions of sale.

DATED at Montague, Prince Edward Island, this 18th day of April, A.D. 2008.

J. B. RAMSAY

Provincial Tax Commissioner for P.E.I.

17-18

NOTICE OF TAX SALE

There will be sold at public auction at the Georgetown Court House, Georgetown, Prince Edward Island, on Friday, the 16th day of May, A.D. 2008, at the hour of 12:00 o'clock noon, real property located at Byrnes Road, Kings County, Prince Edward Island, being identified as **parcel number 649186**, assessed in the name of **JOHN COFFIN**.

This property is being sold for non-payment of taxes in accordance with section 16 of the *Real Property Tax Act*. A more complete legal description may be obtained by contacting Ewan W. Clark of the law firm of Cox & Palmer, at 554 Main Street, Montague, PEI, C0A 1R0, who acts for the Province in connection with this sale.

The said property will be sold subject to a reserve bid and conditions of sale.

DATED at Montague, Prince Edward Island, this 18th day of April, A.D. 2008.

J. B. RAMSAY

Provincial Tax Commissioner for P.E.I.

17-18

NOTICE OF TAX SALE

There will be sold at public auction at the Georgetown Court House, Georgetown, Prince Edward Island, on Friday, the 16th day of May, A.D. 2008, at the hour of 12:00 o'clock noon, real property located at 248 Sailor's Hope Rd., Howe Bay, Kings County, Prince Edward Island, being identified as **parcel number 903500**, assessed in the name of **MINNIE GRACE BLACKETT**.

This property is being sold for non-payment of taxes in accordance with section 16 of the *Real Property Tax Act*. A more complete legal description may be obtained by contacting Ewan W. Clark of the law firm of Cox & Palmer, at 554 Main Street, Montague, PEI, C0A 1R0, who acts for the Province in connection with this sale.

The said property will be sold subject to a reserve bid and conditions of sale.

DATED at Montague, Prince Edward Island, this 18th day of April, A.D. 2008.

J. B. RAMSAY

Provincial Tax Commissioner for P.E.I.

17-18

<http://www.gov.pe.ca/royalgazette>

NOTICE OF TAX SALE

There will be sold at public auction at the Georgetown Court House, Georgetown, Prince Edward Island, on Friday, the 16th day of May, A.D. 2008, at the hour of 12:00 o'clock noon, real property located at 1813 St. Mary's Road West, Rte 318, Kings County, Prince Edward Island, being identified as **parcel number 834119**, assessed in the name of **ROBERT MACKINNON & ELLA GAUDET**.

This property is being sold for non-payment of taxes in accordance with section 16 of the *Real Property Tax Act*. A more complete legal description may be obtained by contacting Ewan W. Clark of the law firm of Cox & Palmer, at 554 Main Street, Montague, PEI, C0A 1R0, who acts for the Province in connection with this sale.

The said property will be sold subject to a reserve bid and conditions of sale.

DATED at Montague, Prince Edward Island, this 18th day of April, A.D. 2008.

J. B. RAMSAY

Provincial Tax Commissioner for P.E.I.

17-18

**NOTICE UNDER THE
NATURAL PRODUCTS
MARKETING ACT
(R.S.P.E.I. 1988, Cap. N-3)
PRINCE EDWARD ISLAND
CATTLEMEN'S ASSOCIATION INC.
ORDER 08-1**

1. Upon the recommendation of the Prince Edward Island Marketing Council and pursuant to subsection 7(1) of the *Natural Products Marketing Act* R.S.P.E.I. 1988, Cap. N-3, the Minister of Agriculture Orders that:
 - a. the designation of the Prince Edward Island Cattlemen's Association Inc. as a commodity group is hereby rescinded; and
 - b. Order No. 91-1 is hereby revoked.
2. This Order is effective April 30, 2008.

DATED at Charlottetown, Prince Edward Island this **30th** day of **April 2008**.

Honourable Neil LeClair
Minister of Agriculture

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May 3, 2008

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PART II REGULATIONS

EC2008-274

BEVERAGE CONTAINERS ACT GENERAL REGULATIONS

(Approved by Her Honour the Lieutenant Governor in Council dated 29 April 2008.)

Pursuant to section 33 of the *Beverage Containers Act* R.S.P.E.I. 1988, Cap. B-2.1, Council made the following regulations:

INTERPRETATION AND APPLICATION

1. In these regulations, “Act” means the *Beverage Containers Act* R.S.P.E.I. 1988, Cap. B-2.1. Act, defined

2. The following liquids are excluded from the definition of “beverage” in clause 1(1)(d) the Act: Exclusions

- (a) milk, including chocolate milk and milk products;
- (b) milk substitutes, including soya milk and rice milk;
- (c) concentrated drinks.

REVOCATION OF APPROVALS

3. (1) Where the Minister revokes an approval of a type of beverage container under subsection 6(5) of the Act the Minister shall Revocation of approval of a type of beverage container

- (a) cause a written notice of the revocation, which includes the reasons therefore, to be provided to the distributor or, where applicable, to the agent of the distributor; and
- (b) cause details of the approved type of beverage container to be removed from the Department’s website.

(2) The revocation of an approval of a type of beverage container under subsection 6(5) of the Act does not take effect until the revocation has been served in accordance with these regulations on the distributor to whom the approval was issued. Revocation effective on notice being given

REGISTRATION OF DISTRIBUTORS

4. (1) The Minister may, on receipt of an application from a distributor for registration, register the distributor under subsection 9(3) of the Act if Registration of distributors

- (a) the application has been made in accordance with the requirements of subsection 9(2); and
- (b) the distributor is registered as a distributor under the *Beverage Containers Act*, S.N.B. 1991, c. B-2.2 of the Province of New Brunswick.

Notice of
registration

(2) On registering a distributor, the Minister shall give notice of the registration, in writing, to the distributor and shall include in the notice a copy of any term or condition that the Minister has imposed on the registration under subsection 9(4) of the Act.

Notice of
imposition,
amendment,
substitution or
revocation of term
or condition after
registration

(3) Where, at any time subsequent to the registration of a distributor, the Minister,

- (a) under subsection 9(4) of the Act, imposes a term or condition on the registration of a distributor; or
- (b) under subsection 9(5) of the Act,
 - (i) amends, substitutes or revokes any term or condition imposed on the registration of a distributor; or
 - (ii) imposes additional terms and conditions on the registration of a distributor,

the Minister shall give notice, in writing, of the imposition of the term or condition, or of the amendment, substitution or revocation of any term or condition, as the case may be, to the distributor and shall include in the notice a copy of any term or condition that has been imposed, amended or substituted by the Minister.

Imposition,
amendment,
substitution or
revocation of term
or condition
effective on notice

(4) The imposition of a term or condition, or the amendment, substitution or revocation of a term or condition, under subsection 9(4) or (5) of the Act, on the registration of a distributor does not take effect until the notice required by subsection (3) has been served in accordance with these regulations on the distributor.

Notice of revocation
or suspension of
registration

(5) Where the Minister revokes or suspends the registration of a distributor under subsection 9(6) of the Act, the Minister shall give notice, in writing, of the revocation or suspension, as the case may be, and the reasons therefor to the distributor.

Revocation or
suspension effective
on notice being
given

(6) The revocation or suspension of the registration of a distributor under subsection 9(6) of the Act does not take effect until the notice required by subsection (5) has been served in accordance with these regulations on the distributor.

Requirements for
security re
distribution of
refillable containers

5. (1) Where

- (a) a distributor sells or intends to sell refillable beverage containers while registered; and
 - (b) the Minister, under subsection 9(4) or (5) of the Act, imposes a condition on the registration of a distributor that the distributor deliver a security to the Minister in respect of the sale of such refillable beverage containers,
- the security shall have a face value of,
- (c) if the distributor's empty refillable beverage containers are collected by an agent and the agent delivers the security on behalf of that distributor under subsections 6(1) and (2), \$250,000; or
 - (d) if the distributor's empty refillable beverage containers are not collected by an agent, \$20,000.

(2) Where

- (a) a distributor sells or intends to sell recyclable beverage containers while registered; and
- (b) the Minister, under subsection 9(4) or (5) of the Act, imposes a condition on the registration of a distributor that the distributor deliver a security to the Minister in respect of the sale of such recyclable beverage containers,

Requirements for security re distribution of recyclable containers

the security shall have a face value of

- (c) if the distributor's empty recyclable beverage containers are collected by an agent and the agent delivers the security on behalf of that distributor under subsections 6(1) and (2), \$250,000; or
- (d) if the distributor's empty recyclable beverage containers are not collected by an agent, \$20,000.

(3) A security referred to in subsection (1) or (2) shall be in the form of

Form of security

- (a) a deposit of money;
- (b) a certified cheque made payable to the Provincial Treasurer;
- (c) a negotiable bond signed over to the Provincial Treasurer; or
- (d) an irrevocable documentary credit or letter of credit from a bank or other lending institution acceptable to the Minister that is negotiable only by the Minister.

(4) A security described in clause (3)(d) shall be for a term of not less than one year.

Term

(5) The depositor of a security shall maintain the security, or renew the security as may be necessary, until the Minister determines that it is no longer required.

Duty to maintain or renew security

(6) A renewal of a security shall be delivered to the Minister not less than twenty-one days before the lapse, expiration or cancellation date of a security delivered under these regulations.

Idem

(7) A security or a renewal of a security shall be deemed to be delivered to the Minister when the Minister has notified the depositor that the security is in accordance with these regulations and is acceptable to the Minister.

Delivery

(8) The Minister shall return a security to the depositor when the Minister determines that the security is no longer required.

Return of security

6. (1) A natural person, partnership or corporation that is a distributor or a corporation that is an agent of two or more distributors may deliver the security required by the Minister under subsection 9(4) or (5) of the Act.

Delivery of security

(2) The security delivered for two or more distributors, who sell or will be selling refillable beverage containers while registered, by a corporation that is an agent of the distributors shall be in the amount required under clause 5(1)(c) and the delivery of that amount shall fulfil the requirement for delivery of the security under that clause for all distributors of which the corporation is an agent.

Amount where security is for two or more distributors

Amount where
security is for two
or more distributors

(3) The security delivered for two or more distributors, who sell or will be selling recyclable beverage containers while registered, by a corporation that is an agent of the distributors shall be in the amount required under clause 5(2)(c) and the delivery of that amount shall fulfil the requirement for delivery of the security under that clause for all distributors of which the corporation is an agent.

Names of
distributors for
whom agent acts

(4) A corporation that is an agent of two or more distributors and that delivers the security on their behalf shall provide the Minister with an up-to-date list of the names of all distributors of which the corporation is an agent and with any other information reasonably requested by the Minister regarding those distributors and shall give the Minister written notice of any change to the list and the date of the change not less than thirty days before the change takes place.

Application of
security to
distributor leaving
agent

(5) The security delivered by a corporation that is an agent for two or more distributors shall continue to apply to a distributor whose name is to be removed from the list referred to in subsection (4) until the expiry of thirty days after notice has been given to the Minister of the removal under that subsection.

Distributor to
deliver new security
to Minister on
leaving agent

(6) If the name of a distributor is to be removed from a list of distributors, the distributor shall, before the name is removed, deliver to the Minister, where the Minister requires one, a substitute security with the face value required under subsection 5(1) or (2), as may be appropriate.

Forfeiture of
security re refillable
beverage containers

7. (1) Where a distributor sells refillable beverage containers while registered, the security delivered to the Minister in relation to the distributor shall be forfeited if the distributor or the agent of the distributor fails to collect empty refillable beverage containers or to pay the refunds in accordance with the Act and these regulations within fourteen days after the distributor or the agent, as the case may be, is required to do so under the Act and these regulations.

Forfeiture of
security re
recyclable beverage
containers

(2) Where a distributor sells recyclable beverage containers while registered, the security delivered to the Minister in relation to the distributor shall be forfeited if the distributor or the agent of the distributor fails to remit or pay deposits for the recyclable beverage containers to the Provincial Treasurer in accordance with the Act and these regulations within fourteen days after the distributor or the agent, as the case may be, is required to do so under the Act and these regulations.

Idem

(3) The security delivered by a corporation that is an agent of two or more distributors shall be forfeited to the extent of its full face value when the security of a distributor that is named on the corporation's list referred to in subsection 6(4) would be forfeited under these regulations.

Substitution of an
amount for forfeited
security

(4) Notwithstanding subsection (3), a corporation that is an agent of two or more distributors who sell refillable beverage containers may, with the consent of the Minister, substitute for the face value of a security

forfeited under subsection (1) such amount as the Minister considers sufficient to make the payments or reimbursements listed in clauses (5)(a) and (b) in full in relation to the forfeiture of the distributor's security.

(5) Any money recovered on the forfeiture of a security under subsection (1), after deducting the cost of administering the security under subsection 9(8) of the Act, shall be distributed in the following order of priority:

Distribution of money recovered on forfeiture of security

- (a) payment or reimbursement in full or, where the money is insufficient, on a *pro rata* basis, to the license holders for paid-out refunds and for deposits on bulking material that relate to the empty refillable beverage containers of the distributor to which the forfeiture relates and for which the license holders have not been paid or reimbursed;
- (b) payment of the cost of transporting, recycling and otherwise handling the empty beverage containers after collection from the beverage container depots;
- (c) payment of any balance remaining to the Provincial Treasurer, which shall be the property of the Government and shall be paid into the Operating Fund.

(6) Notwithstanding subsection (3), a corporation that is an agent of two or more distributors who sell recyclable beverage containers may, with the consent of the Minister, substitute for the face value of a security forfeited under subsection (2) such amount as the Minister considers sufficient to make the payments referred to in subsection (7).

Substitution of an amount for forfeited security recyclable containers

(7) Any money recovered on the forfeiture of a security under subsection (2), after deducting the cost of administering the security under subsection 9(8) of the Act, shall be distributed in the following order of priority:

Distribution of money recovered on forfeiture of security re recyclable containers

- (a) payment or reimbursement in full to the Provincial Treasurer for the deposits for the recyclable beverage containers that have not been paid or remitted to the Provincial Treasurer;
- (b) payment of any balance remaining to the registered distributor.

INFORMATION REQUIRED ON BEVERAGE CONTAINERS

8. For the purposes of section 12 of the Act, every beverage in a beverage container that is sold by a distributor or a retailer shall have stamped or printed on the beverage container the wording "Return for Refund" or similar wording.

Information required to be printed or stamped on beverage containers

LICENSES

9. The fee payable to apply for a license, or to apply for the amendment of a license, under section 13 of the Act is \$100 and shall be made payable to the Provincial Treasurer.

Application fee

-
- Application for the
issuance of a license
- 10.** (1) A person who wishes to apply for a license under subsection 13(2) of the Act shall
- (a) file with the Minister a completed application in a form acceptable to the Minister;
 - (b) pay the fee prescribed by section 9; and
 - (c) provide to the Minister
 - (i) such proof of the matters referred to in subsection (2) or (3) as the Minister may require, and
 - (ii) such other information as the Minister may require.
- Requirements for
issuance of a license
- (2) The Minister may issue a license to the applicant under subsection 13(3) of the Act if the Minister is satisfied that
- (a) the applicant has sufficient capital available to pay all refunds that could be requested by the public for empty beverage containers between start-up and the first possible reimbursement of refunds by a distributor or the Provincial Treasurer, and between subsequent reimbursements;
 - (b) the lot on which the applicant proposes to operate the beverage container depot
 - (i) is not less than 1.5 acres in area,
 - (ii) has areas for parking that are, at a minimum, 185 square metres in area, and have hard surface of pavement, concrete, gravel, or asphalt millings, and
 - (iii) has separate traffic lanes for customer vehicles and for transport trucks;
 - (c) there is a building on the lot referred to in clause (b) which meets the requirements of subsection (3); and
 - (d) the applicant should be authorized to operate a beverage container depot at the location proposed in the application having regard to the considerations set out in subsection 13(12) of the Act.
- Building
requirements
- (3) The building on the lot at which the applicant for a license proposes to operate a beverage container depot shall
- (a) be structurally sound;
 - (b) have a beverage container sorting area that
 - (i) has a floor area, at a minimum, of 46 square metres, and
 - (ii) is visible to customers;
 - (c) have an area for customer service;
 - (d) have a beverage container storage area that
 - (i) has a wooden or steel frame and a poured cement floor,
 - (ii) has a ceiling height, at a minimum, of 4.9 metres,
 - (iii) has a floor area, at a minimum, of 111 square metres,
 - (iv) is accessible to vehicles that are loading and unloading empty beverage containers, and
 - (v) is constructed in such a manner that it will keep all empty beverage containers stored therein dry and clean; and
 - (e) has a total floor area, at a minimum, of 232 square metres.
- Exception re depots
existing on
commencement of
Act
- (4) The Minister may, under subsection 13(3) of the Act, issue a license to an applicant notwithstanding that one or more of the

requirements set out in clauses (2)(a) to (c) and subsection (3) are not met by the applicant, or the lot, or the building on the lot, at which the applicant proposes to operate a beverage container depot, where

(a) the applicant is a person who was deemed to be a license holder under section 34 of the Act on the day that section came into force; and

(b) the Minister is satisfied that the applicant should be authorized to operate a beverage container depot at the location proposed in the application having regard to the considerations set out in subsection 13(12) of the Act.

(5) The Minister may refuse to issue a license under subsection 13(6) of the Act where Refusal to issue license

(a) the Minister is not satisfied

(i) that the applicant meets the requirements of clause (2)(a),

(ii) that the lot on which the applicant proposes to operate the beverage container depot meets the requirements of clause (2)(b),

(iii) that the building on the lot referred to in subclause (ii) meets the requirements of clause (2)(c) and subsection (3), or

(iv) that the applicant should be authorized to operate a beverage container depot at the location proposed in the application having regard to the considerations set out in subsection 13(12) of the Act; or

(b) the applicant has previously been issued a license or deemed to have been issued a license under the Act and the license holder, or an agent of the license holder, violated or failed to comply with a provision of the Act or these regulations.

(6) A license shall be issued on a form provided by the Minister. Form

(7) A license holder who wishes to apply, under subsection 13(2) of the Act, for the amendment of a license for the purpose of authorizing the license holder to operate the beverage container depot at a new location, shall Amendment at location beverage container depot on license

(a) file with the Minister a completed application in a form acceptable to the Minister;

(b) pay the fee prescribed by section 9; and

(c) provide to the Minister

(i) such proof of the matters referred to in clauses (2)(b) to (d) or in subsection (3) as the Minister may require, and

(ii) such other information as the Minister may require.

(8) The Minister may, under subsection 13(3) of the Act, amend the location specified on a license if the Minister is satisfied that the requirements of clauses (2)(b) to (d) and subsection (3) are met in respect of the new location. Idem

11. (1) Where, at any time subsequent to the issuance of a license, the Minister, Terms and conditions

(a) under clause 13(3)(b) of the Act, imposes a term or condition on the license; or

(b) under subsection 13(4) of the Act, amends, substitutes, or repeals any term or condition imposed on the license,

the Minister shall give notice, in writing, of the imposition of the term or condition, or of the amendment, substitution, or repeal of any term or condition, as the case may be, to the license holder and shall include in the notice a copy of any term or condition that has been imposed, amended or substituted.

Imposition,
amendment,
substitution or
repeal of term or
condition effective
on notice

(2) The imposition of a term or condition, or the amendment, substitution or repeal of a term or condition, under clause 13(3)(b) or subsection 13(4) of the Act, on the license does not take effect until the notice required by subsection (1) has been served in accordance with these regulations on the license holder.

Suspension or
revocation of a
license

12. (1) Where the Minister suspends or revokes a license under subsection 13(17) of the Act, the Minister shall give notice, in writing, of the suspension or revocation, as the case may be, and the reasons therefore to the license holder.

Suspension or
revocation effective
on notice

(2) The suspension or revocation of a license issued under subsection 13(17) of the Act does not take effect until the notice required by subsection (1) has been served in accordance with these regulations on the license holder.

OPERATION OF BEVERAGE CONTAINER DEPOTS

Operation of
beverage container
depot, requirements

13. (1) A license holder, and the operator of the beverage container depot operated under the license, shall ensure

(a) that the beverage container depot is kept clean and that broken glass, discarded cardboard and plastic bags and other refuse and debris are collected and properly disposed of;

(b) that each empty beverage container collected from the beverage container depot by a distributor or an agent of the distributor

(i) has had its removable cap removed, if the beverage container is a plastic bottle or a plastic container,

(ii) has markings that identify the distributor or person who filled the container and that are readable or readable by a bar code scanner or reader, and

(iii) has no foreign material or free flowing liquid inside the container;

(c) that there is no foreign material in the bulking container in which any empty beverage container is collected from the beverage container depot by a distributor or an agent of the distributor; and

(d) that all empty beverage containers and items necessary for bulking the containers are stored indoors.

Sorting of
containers

(2) The holder of a license, and the operator of the beverage container depot operated under the license, shall ensure

- (a) that empty refillable beverage containers that are collected from the beverage container depot by an agent of two or more distributors are sorted according to the distributor;
- (b) that empty beverage containers that are collected by distributors themselves are sorted according to the distributor that distributed them; and
- (c) that empty recyclable beverage containers that are collected by the agent of two or more distributors are sorted according to colour and composition into not more than 20 different sorts.

COLLECTION BY REGISTERED DISTRIBUTORS

14. (1) A registered distributor or, where applicable, an agent of the registered distributor shall provide the operators of beverage container depots with all bulking containers, shells, pallets and other items necessary for bulking empty refillable beverage containers sold by the registered distributor, and may charge the operators of beverage container depots a fully refundable deposit for each such reusable item.

Registered distributor to supply bulking containers, shells and pallets

(2) For the purposes of subsection 18(1) of the Act, the period of time within which a registered distributor or, where applicable, an agent of the registered distributor shall collect empty refillable beverage containers from a beverage container depot following a request is seven business days.

Period of time for collection

(3) For the purposes of subsection 18(2) of the Act, a registered distributor, or where applicable, an agent of the registered distributor is required to collect empty refillable beverage containers sold by the registered distributor from a license holder, or agent of the license holder, where the license holder or agent of the license holder has possession of at least 10,000 such containers.

Amount of containers that requires collection

(4) For the purposes of subsection 18(4) of the Act, the period of time within which a registered distributor or, where applicable, an agent of the registered distributor shall pay the refund to the license holder is seven business days commencing on the day on which the empty beverage containers to which the refund relate are collected by the registered distributor, or agent, from the beverage container depot operated by the license holder.

Period of time for payment of refund

COLLECTION BY THE BEVERAGE CONTAINER COLLECTOR

15. (1) The beverage container collector shall provide the operators of beverage container depots with all bulking containers, shells, pallets and other items necessary for bulking empty recyclable beverage containers sold by registered distributors, and may, with the written consent of the Minister, charge the operators of beverage container depots a fully refundable deposit for each such reusable item.

Collector to supply bulking containers, shells and pallets

(2) For the purposes of subsection 20(1) of the Act, the period of time within which the beverage container collector shall collect empty

Period of time for collection

recyclable beverage containers from a beverage container depot following a request is seven business days.

Amount of
containers that
requires collection

(3) For the purposes of subsection 20(2) of the Act, the beverage container collector is required to collect empty recyclable beverage containers from a license holder, or the agent of the license holder, where the license holder or agent of the license holder has possession of at least 10,000 such containers.

Period of time for
payment of refund

(4) For the purposes of section 21 of the Act, the Minister shall ensure that the license holder is paid the refund and handling fee within seven business days commencing on the day on which the empty beverage containers to which the refund and handling fee relate are collected by the beverage container collector from the beverage container depot operated by the license holder.

Handling fee

(5) For the purposes of section 21 of the Act, the amount of the handling fee for a beverage container depot to handle beverage containers approved under the Act is \$0.036 per container.

SERVICE OF NOTICES

When notice
sufficiently served

16. (1) Any notice required to be given by the Minister under subsection 4(3) or (5), subsection 11(1) or subsection 12(1) is deemed to be sufficiently served

- (a) upon a copy of the notice being personally served on the person to whom it is directed;
- (b) upon a copy of the notice being sent by facsimile or by other electronic means to the person to whom it is directed and an acknowledgement of receipt being received; or
- (c) five days after a copy of the notice is sent by mail addressed to the person to whom it is directed at the last known address for that person.

Service on director
or officer of
corporation

(2) Where the person to be served with a notice is a corporation, service of the notice on a director, officer or recognized agent of the corporation in accordance with subsection (1) is deemed to be service of the notice on the corporation for the purposes of this Act.

Order for
substituted service

(3) Where it is impractical for any reason to serve a notice in a manner referred to in subsection (1), an *ex parte* application may be made to a judge of the Supreme Court who may make an order for substituted service providing for such steps to be taken to bring the matter to the attention of the person to be served.

SALE OF CONTAINERS WITH CONNECTING DEVICES

Restriction

17. No registered distributor shall sell a beverage in beverage containers that are

- (a) connected by plastic rings; or
- (b) connected by a connecting device, other than plastic rings,

unless the plastic rings or other connecting device is biodegradable or photodegradable.

COMMENCEMENT

Commencement

18. (1) Subject to subsection (2), these regulations come into force on April 30, 2008.

(2) Sections 8, 13, 14, 15 and 17 of these regulations come into force *Idem* on May 3, 2008.

EXPLANATORY NOTES

SECTION 1 defines the word “Act” for the purposes of these regulations.

SECTION 2 sets out the liquids that are excluded from the definition of “beverage” in the Act.

SECTION 3 states that the Minister must give a distributor a notice when the Minister revokes the approval of a type of beverage container distributed by the distributor. The revocation does not take effect until the notice has been served in accordance with these regulations.

SECTION 4 provides that the Minister may register, in writing, a distributor upon application if the distributor is registered under New Brunswick’s *Beverage Containers Act*. In addition, the section authorizes the Minister, in writing, at the time of registration or at a later date, to impose terms and conditions on the registration.

SECTIONS 5 to 7 govern the amount, form, delivery, forfeiture and distribution of any security required by the Minister as a condition of registering a distributor.

SECTION 8 sets out the information that must be stamped or printed on every beverage container that is sold by a distributor or retailer.

SECTION 9 outlines the fee payable for a license or the amendment of a license.

SECTION 10 sets out the requirements pertaining to the making of an application for a license and the issuance of a license.

SECTION 11 provides that when issuing a license or amending a license to operate a beverage container depot the Minister may impose terms and conditions at that time or at a later date upon notification to the applicant.

SECTION 12 provides that the Minister may suspend or revoke a license and shall give written notice to the license holder stating the reasons for the suspension or revocation.

SECTION 13 sets out the requirements for the operation of a beverage container depot and the sorting of the beverage containers by a license holder or the operator of the depot.

SECTION 14 requires a registered distributor to supply the operators of beverage container depots with bulking containers, shells, pallets and other items necessary for bulking empty refillable beverage containers sold by the registered distributor. The section also requires a registered distributor to collect empty refillable beverage containers from a depot within seven business days after receiving a request by the operator of the depot if the operator has collected 10,000 empty beverage containers.

SECTION 15 requires a beverage container collector to supply the operators of the beverage container depots with bulking containers, shells, pallets and other items necessary for bulking empty recyclable beverage containers. The section also requires the beverage container collector to collect empty recyclable beverage containers from the depot within seven business days after receiving a request by the operator of the depot if the operator has collected 10,000 empty beverage containers.

SECTION 16 states when a notice that is required to be given by the Minister under these regulations is sufficiently served.

SECTION 17 provides that no registered distributor shall sell beverage containers that are connected by plastic rings or another connecting device unless the plastic rings or connecting device is biodegradable or photodegradable.

SECTION 18 provides for the commencement of these regulations.

Certified a true copy,

Robert Allan Rankin
Clerk of the Executive Council

EC2008-275

**BEVERAGE CONTAINERS ACT
RECYCLABLE BEVERAGE CONTAINER DEPOSIT
REGULATIONS**

(Approved by Her Honour the Lieutenant Governor in Council dated 29 April 2008.)

Pursuant to section 33 of the *Beverage Containers Act* R.S.P.E.I. 1988, Cap. B-2.1, Council made the following regulations:

1. In these regulations, “Act” means the *Beverage Containers Act* R.S.P.E.I. 1988, Cap. B-2.1. Act, defined
2. The Provincial Treasurer may delegate to any officer or employee of the Provincial Treasury any function of the Provincial Treasurer under these regulations or under subsection 10(8) of the Act. Delegation by
Provincial Treasurer
3. (1) On or before the twentieth day of each calendar month, every registered distributor shall Requirement to file
a return and make
remission on a
monthly basis
 - (a) make a return to the Provincial Treasurer in such form as may be approved by the Provincial Treasurer respecting
 - (i) the deposits that are required under subsection 10(4) of the Act to be remitted by the registered distributor to the Provincial Treasurer for the recyclable beverage containers sold by the registered distributor during the immediately preceding calendar month, and
 - (ii) the deposits that are required under subsection 10(6) of the Act to be paid by the registered distributor to the Provincial Treasurer for the recyclable beverage containers that were given away by the registered distributor during the immediately preceding calendar month;
 - (b) remit to the Provincial Treasurer with the return the deposits referred to in subclause (a)(i); and
 - (c) pay to the Provincial Treasurer with the return the deposits referred to in subclause (a)(ii).
- (2) Notwithstanding subsection (1), a registered distributor shall, at any time required by the Provincial Treasurer, Returns and
remissions made on
request of
Provincial Treasurer
 - (a) make a return to the Provincial Treasurer for such period of time as the Provincial Treasurer may determine respecting
 - (i) the deposits that are required under subsection 10(4) of the Act to be remitted by the registered distributor to the Provincial Treasurer for the recyclable beverage containers sold by the registered distributor during such period, and
 - (ii) the deposits that are required under subsection 10(6) of the Act to be remitted by the registered distributor to the Provincial Treasurer for the recyclable beverage containers that are given away by the registered distributor during such period; and

- (b) remit to the Provincial Treasurer with the return the deposits referred to in subclause (a)(i); and
- (c) pay to the Provincial Treasurer with the return the deposits referred to in subclause (a)(ii).

Return where no sales

(3) Where a registered distributor has not sold or given away any beverages in recyclable beverage containers during the immediately preceding calendar month, the registered distributor shall make a return in accordance with subsection (1) setting forth that fact.

Books and records required

4. (1) Every registered distributor shall keep and maintain books of account, records and documents sufficient to furnish the Provincial Treasurer with the necessary particulars of

(a) the number of each of the following types of recyclable beverage containers that are delivered by the registered distributor into the province:

- (i) the beverage containers that are filled with liquor and that have a capacity of 500 millilitres or less,
- (ii) the beverage containers that are filled with liquor and that have a capacity of more than 500 millilitres,
- (iii) the beverage containers that are filled with a beverage other than liquor;

(b) the amount of the deposits that are payable for each of the types of recyclable beverage containers referred to in subclauses (a)(i), (ii) and (iii) that are sold by the registered distributor; and

(c) the amount of the deposits collected for each of the types of recyclable beverage containers referred to in subclauses (a)(i), (ii) and (iii) that are sold by the registered distributor;

(d) the number of each of the following types of recyclable beverage containers that are given away by the registered distributor:

- (i) the beverage containers that are filled with liquor and that have a capacity of 500 millilitres or less,
- (ii) the beverage containers that are filled with liquor and that have a capacity of more than 500 millilitres,
- (iii) the beverage containers that are filled with a beverage other than liquor;

(e) the amount of the deposits that are payable for each of the types of recyclable beverage containers referred to in subclauses (f)(i), (ii) and (iii) that are given away by the registered distributor; and

(f) the disposition of the deposits for recyclable beverage containers that are due from or collected by the registered distributor.

Preservation and destruction

(2) Every registered distributor shall preserve all books of account, records and documents until such time as the Provincial Treasurer may authorize their destruction.

Deposit due on credit sales

5. Where a registered distributor has made sales of beverages in recyclable beverage containers on a charge basis without collecting the deposits for the recyclable beverage containers at the time of sale, the

registered distributor shall report such deposits in the monthly return of the registered distributor.

6. For the purposes of subsection 10(9) of the Act, the prescribed rate of interest payable on overdue deposits is 1.5 per cent per month. Interest rate applicable

7. (1) A registered distributor may apply under subsection 10(8) of the Act for a refund of a deposit paid by the registered distributor to the Provincial Treasurer by filing an application for the refund in the manner set out in subsection (2) within four years of the date the wrongful payment or overpayment was made by the registered distributor. Refunds

(2) An application for a refund of an amount paid as a deposit for a recyclable beverage container shall be made, in writing, to the Provincial Treasurer and shall include *Idem*

- (a) the reason for requesting the refund; and
- (b) such information or documents, including invoices and receipts, as the Provincial Treasurer may require, respecting the payment of the amount of the deposit for which the refund is requested.

(3) Any information or documents required by the Provincial Treasurer in respect of an application under this section shall be provided or presented by the applicant in such form or manner as the Provincial Treasurer may require. *Idem*

(4) Notwithstanding subsection (1), where an amount is paid as a deposit for a recyclable beverage container and it is subsequently determined that the amount was paid under a mistake in law, no action shall be maintainable against the Government for return of the amount so paid. Payment under mistake of law

8. In making an assessment pursuant to the Act, the Provincial Treasurer shall not consider a period prior to the sixty months immediately preceding the month in which the assessment is made, except where there is a reasonable appearance of wilful default or fraud to the Provincial Treasurer. Assessment period

9. These regulations come into force on May 3, 2008. Commencement

EXPLANATORY NOTES

SECTION 1 defines the word “Act” as it applies to these regulations.

SECTION 2 provides that the Provincial Treasurer may delegate his or her functions under these regulations and certain provisions of the Act to employees and officers of the Provincial Treasury.

SECTION 3 requires every registered distributor to file a return and remit the deposits payable for the recyclable beverage containers sold or given away by the registered distributor during the immediately preceding calendar month or as required to the Provincial Treasurer.

SECTION 4 requires every registered distributor to keep and maintain books of account, records and documents sufficient to furnish the Provincial Treasurer with details concerning the numbers of certain types of recyclable beverage containers that are delivered into the province by the registered distributor, and the deposits that are collected and payable on the recyclable beverage containers that are sold or given away by the registered distributor.

SECTION 5 provides that a registered distributor shall include any sales made on a charge basis in the monthly return made by the registered distributor to the Provincial Treasurer.

SECTION 6 sets out the prescribed rate of interest that is payable on overdue deposits.

SECTION 7 provides that a registered distributor has 4 years to file an application for a return of any wrongful payment or overpayment made by the registered distributor to the Provincial Treasurer. An application must include all documents, invoices and receipts that the Provincial Treasurer may require to decide on the wrongful payment or overpayment of deposits.

SECTION 8 sets out the assessment period during which the Provincial Treasurer may assess a registered distributor.

SECTION 9 provides for the commencement of these regulations.

Certified a true copy,
Robert Allan Rankin
Clerk of the Executive Council

EC2008-276

**ENVIRONMENTAL PROTECTION ACT
LITTER CONTROL REGULATIONS
AMENDMENT**

(Approved by Her Honour the Lieutenant Governor in Council dated 29 April 2008.)

Pursuant to section 25 of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9, Council made the following regulations:

1. Section 1 of the *Environmental Protection Act* Litter Control Regulations (EC697/91) is amended

(a) by the revocation of clauses (a) to (e); and

(b) by the repeal of clauses (g) to (n).

2. Sections 2 to 6 of the regulations are revoked.

3. Section 8 of the regulations is revoked.

4. These regulations come into force on May 3, 2008.

EXPLANATORY NOTES

SECTIONS 1 to 3 revoke provisions of the current regulations respecting beverage containers that are no longer needed with the enactment of the new *Beverage Containers Act*.

SECTION 4 provides for the commencement of these regulations.

Certified a true copy,

Robert Allan Rankin

Clerk of the Executive Council

PART II
REGULATIONS INDEX

Chapter Number	Title	Original Order Reference	Amendment	Authorizing Order and Date	Page
B-2.1	Beverage Containers Act General Regulations		[new] s.1-7, 9-12,16,18 [eff] Apr. 30/08 s.8,13,14,15,17 [eff] May 3/08	EC2008-274 (29.04.08)	81-92
	Recyclable Beverage Container Deposit Regulations		[new] [eff] May 3/08	EC2008-275 (29.04.08)	93-96
E-9	Environmental Protection Act Litter Control Regulations	EC697/91	s.1(a)-(c) [rev] s.1(g)-(n) [rev] s.2-6 [rev] s.8 [rev] [eff] May 3/08	EC2008-276 (29.04.08)	96-97