

# Royal Gazette

## Prince Edward Island

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**VOL. CXXXV - NO. 28**

**Charlottetown, Prince Edward Island, July 11, 2009**

**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
BERNARD, Emile Tignish Prince Co., PE July 11, 2009 (28-41)*	Edward Doucette (EX.)	Cox & Palmer PO Box 40  Alberton, PE
MURPHY, M. Catherine Charlottetown Queens Co., PE July 11, 2009 (28-41)*	J. Richard Coffin (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
TOOLE, Thomas Ellison South Melville Queens Co., PE July 11, 2009 (28-41)*	Joanne Margaret McManus Alan Louis Toole (EX.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
BERNARD, Leonard Joseph St. Louis Prince Co., PE July 4, 2009 (27-40)	Stephana Bellefontaine (EX.)	McInnes Cooper PO Box 1570 Summerside, PE
CORCORAN, Herman Angus Piusville Prince Co., PE July 4, 2009 (27-40)	Gerarda Mary Corcoran (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
FOLLAND, Hilda E. Summerside Prince Co., PE July 4, 2009 (27-40)	Sarah (Sally) Basler Terry Hamilton George A. Lyle (EX.)	Lyle & McCabe PO Box 300 Summerside, PE
HUGHES, Francis (Frank) Joseph Charlottetown Queens Co., PE July 4, 2009 (27-40)	Maurice Hughes, Sr. (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
MacAULAY, Hugh Francis	George Mullally	Allen J. MacPhee Law Corporation

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Souris (Formerly of Souris West) Kings Co., PE July 4, 2009 (27-40)	L. James MacPhee (EX.)	PO Box 238 Souris, PE
MacPHERSON, Irene May Flat River Queens Co., PE July 4, 2009 (27-40)	Marshall MacPherson (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
PRATT, Barbara B. Charlottetown Queens Co., PE (Formerly of St. Peters Bay, Kings Co., PE) July 4, 2009 (27-40)	Charles E. Pratt O. Kathleen Anderson (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
VESSEY, Mary Lela Charlottetown (Formerly of York) Queens Co., PE July 4, 2009 (27-40)	Lowell Vessey Gordon Vessey Ferne MacPhail (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
YOUNG, Doris Ruth Albion Cross Kings Co., PE July 4, 2009 (27-40)	Shirley Hazelden Mary Catherine (Cathy) Peters (EX.)	Cox & Palmer PO Box 516 Montague, PE
COLES, Sarah Alice Summerside Prince Co., PE June 27, 2009 (26-39)	Norma Pauline (Paula) MacDonald Sarah Alexandra (Cindy) Coles Walker L. Alexander Coles (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MORESIDE, James William Charlottetown Queens Co., PE June 27, 2009 (26-39)	Elizabeth Adele Moreside MD Private Trust Company (EX.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
RAYNER, Wanda Pearl Crapaud Queens Co., PE June 27, 2009 (26-39)	Garth Wayne Rayner Gary William Rayner (EX.)	Lyle & McCabe PO Box 300 Summerside, PE
TURNER, Orville R. Charlottetown Queens Co., PE June 27, 2009 (26-39)	Lana Turner (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
LANEY, Marsha Magnolia	Sandra Geary (AD.)	Cox & Palmer

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Summerside Prince Co., PE June 27, 2009 (26-39)		82 Summer Street Summerside, PE
PETRIE, Robert Hallett Charlottetown Queens Co., PE June 27, 2009 (26-39)	Gordon Lynn Petrie (AD.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
SMITH, Mary Stella Marie Charlottetown Queens Co., PE June 27, 2009 (26-39)	Patricia Bertram (AD.)	Paul J. D. Mullin, QC PO Box 604 Charlottetown, PE
CAMERON, Edson Miscouche RR#1 Prince Co., PE June 20, 2009 (25-38)	Dale Cameron (EX.)	Lyle & McCabe PO Box 300 Summerside, PE
DARRACH, Anna Muriel Summerside Prince Co., PE June 20, 2009 (25-38)	Myrna Laurina Moore (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
DYMENT, Rita Pearl Summerside Prince Co., PE June 20, 2009 (25-38)	John Milton Dymont Margaret Ann Dymont Gary L. Cook (EX.)	McInnes Cooper PO Box 1570 Summerside, PE
McGUIGAN, M. Bernadette Charlottetown Queens Co., PE June 20, 2009 (25-38)	J. Robin McGuigan (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
NICHOLSON, Annie Mae Montague Kings Co., PE June 20, 2009 (25-38)	Roger Nicholson (EX.)	T. Daniel Tweel PO Box 3160 Charlottetown, PE
TAYLOR, Campbell Blakely Winchester Ontario June 20, 2009 (25-38)	BDO Dunwoody Limited(AD.)	Cox & Palmer PO Box 516 Montague, PE
CHANDLER, John Ernest Charlottetown Queens Co., PE June 13, 2009 (24-37)	Brian F. Chandler (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
GAUDET, Joan Mary	Douglas Gaudet (EX.)	Cox & Palmer

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Anglo Prince Co., PE June 13, 2009 (24-37)		PO Box 40 Alberton, PE
LESTER, Robert Claude Worcester County Maryland, USA June 13, 2009 (24-37)	Molly C. Lester (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
SMITH, Hélène Evelyn Charlottetown Queens Co., PE June 13, 2009 (24-37)	L. J. André Smith (EX.)	Cox & Palmer 82 Summer Street Summerside, PE
CLINTON, Maureen Wood Charlottetown Queens Co., PE June 13, 2009 (24-37)	Rosalie "Rose" Clinton (AD.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
ALLAIN, Joseph Gerald Miscouche Prince Co., PE June 6, 2009 (23-36)	Lisa Ronahan Rebecca Allain (Pettipas) (EX.)	Cox & Palmer 82 Summer Street Summerside, PE
CHING, Bessie Red Point Kings Co., PE June 6, 2009 (23-36)	Elwood Ching (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
COMPTON, Simon Theodore Stratford Queens Co., PE June 6, 2009 (23-36)	Ronald Compton Trudy Tomlinson Cynthia (Cindy) Beharrell (EX.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
FULFORD, Mary Eileen Stratford Queens Co., PE June 6, 2009 (23-36)	John A. McMillan Maura Jean Davies (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
MURPHY, Raymond Charlottetown Queens Co., PE June 6, 2009 (23-36)	Bernetta Murphy (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
NEWSON, Elmer James Summerside Prince Co., PE June 6, 2009 (23-36)	Beulah Madeline Newson (EX.)	McLellan Brennan 37 Central Street Summerside, PE
RIORDAN, Mary C.	Michael Riordan (EX.)	Campbell Stewart

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Livermore Falls Androscoggin Co. Maine, USA June 6, 2009 (23-36)		PO Box 485 Charlottetown, PE
SAWYER, Christina Marie Charlottetown Queens Co., PE June 6, 2009 (23-36)	Douglas Harvey Judy Clinton Harvey (EX.)	Philip Mullally Law Office PO Box 2560 Charlottetown, PE
VIDAL, Fernando Charlottetown Queens Co., PE June 6, 2009 (23-36)	Robert Vidal (EX.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
WILSON, Catherine L. New Dominion Queens Co., PE June 6, 2009 (23-36)	Joseph A. Fraser (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
CAMPBELL, Edith Joyce Cornwall Queens Co., PE June 6, 2009 (23-36)	Sheila Campbell (AD.)	Philip Mullally Law Office PO Box 2560 Charlottetown, PE
KENNY, Eleanor County of Middlesex City of New Brunswick State of New Jersey, USA June 6, 2009 (23-36)	James B. Kenny (AD.)	Paul J. D. Mullin, QC PO Box 604 Charlottetown, PE
PETERS, Arthur Augustine Charlottetown Queens Co., PE June 6, 2009 (23-36)	Kenneth Peters (AD.)	Campbell Stewart PO Box 485 Charlottetown, PE
CHICKERING, Mavis M. Keene, New Hampshire United States of America May 30, 2009 (22-35)	Levi Chickering (EX.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
MURPHY, Catherine Chelton Prince Co., PE May 30, 2009 (22-35)	Carmen Riedel Monique Riedel (EX.)	Donald Schurman 155A Arcona St. Summerside, PE
POWER, Ann Catherine (Katie) Charlottetown Queens Co., PE May 30, 2009 (22-35)	Faustina (Tina) Gallant (EX.)	Stewart McKelvey PO Box 2140 Charlottetown, PE

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CARR, Robert Milton Charlottetown Queens Co., PE May 23, 2009 (21-34)	Sandra Elizabeth Melanson John Allison Carr, QC (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
INGHAM, Emma Jane Lucan Ontario May 23, 2009 (21-34)	Elizabeth Jane Gingerich (EX.)	Cox & Palmer 82 Summer Street Summerside, PE
MacDONALD, Elizabeth Ardell Milo Prince Co., PE May 23, 2009 (21-34)	Beverley Wells David MacDonald (EX.)	Cox & Palmer PO Box 40 Alberton, PE
MURRAY, Eleanor Carolyn St. Lawrence Prince Co., PE May 23, 2009 (21-34)	Hazel Murray Smallman (EX.)	Cox & Palmer PO Box 40 Alberton, PE
PITKETHLY, Virginia Gail (also known as Virginia Gail Proffitt and Virginia Gail Smith) Smith Falls, ON May 23, 2009 (21-34)	John L. Pitkethly (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
SOBOL, Janet Ann Amherst Nova Scotia May 23, 2009 (21-34)	John Richard Sobol (EX.)	McInnes Cooper PO Box 1570 Summerside, PE
BRYAN, William J. Unionvale Prince Co., PE May 23, 2009 (21-34)	Lois Fillmore (AD.)	Cox & Palmer PO Box 40 Alberton, PE
MacLEOD, Mary Florence Charlottetown Queens Co., PE May 23, 2009 (21-34)	George MacLeod Debbie Heald (AD.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
COUGHLIN, Ruth Georgina Alberton Prince Co., PE May 16, 2009 (20-33)	Lynn Adams Cora Hardy (EX.)	Cox & Palmer PO Box 40 Alberton, PE
CREAMER, Willard Fortune Kings Co., PE May 16, 2009 (20-33)	Doreen Creamer (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE

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DARRACH, David Neil Charlottetown Queens Co., PE May 16, 2009 (20-33)	Malcolm Stewart Darrach (EX.)	Catherine M. Parkman Law Office PO Box 1056 Charlottetown, PE
HOPE, Nora Kathleen Mill Valley, Marin County California, USA May 16, 2009 (20-33)	Barney Francis Hope (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
REYNOLDS, David Clarence Lower Montague Kings Co., PE May 16, 2009 (20-33)	William Hicken (EX.)	Cox & Palmer PO Box 516 Montague, PE
VISSER, Gerrit Orwell Cove Queens Co., PE May 16, 2009 (20-33)	William Visser Randolph Visser (EX.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
McKINNON, Mary Jacinta (Cindy) Charlottetown Queens Co., PE May 16, 2009 (20-33)	Joseph John Blair McKinnon (AD.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
EASTER, Flora May Municipality of Delta British Columbia May 9, 2009 (19-32)	Elaine Maude Canning (EX.)	McInnes Cooper PO Box 177 O'Leary, PE
HICKEN, Harold Clayton Eldon Queens Co., PE (Formerly of Brooklyn, Kings Co., PE) May 9, 2009 (19-32)	Carol E. Hicken (EX.)	Cox & Palmer PO Box 516 Montague, PE
MacLEAN, Wendell N. Charlottetown Queens Co., PE May 9, 2009 (19-32)	Wanda T. MacLean (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
PERRY, Earl J. Wellington Prince Co., PE May 9, 2009 (19-32)	Jamie Dion Perry (EX.)	Cox & Palmer 82 Summer Street Summerside, PE
QUIGLEY, John N. Borden-Carleton Prince Co., PE May 9, 2009 (19-32)	Hazel Quigley Brenda Jean Newcombe (EX.)	Cox & Palmer PO Box 40 Alberton, PE

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MacDONALD, Ethel Ann Wood Islands Queens Co., PE May 9, 2009 (19-32)	Karen M. MacLeod (AD.)	Cox & Palmer PO Box 516 Montague, PE
BARLOW, Lorne Keith Wellington Prince Co., PE May 2, 2009 (18-31)	Valerie Connors Catherine Barlow- Mitchell (EX.)	Cox & Palmer PO Box 40 Alberton, PE
BRYENTON, Rena Vere RR#9 Station Main Charlottetown Queens Co., PE May 2, 2009 (18-31)	Allison Harold Bryenton (EX.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
COOPER, Charles Kenneth Aiken South Carolina, USA May 2, 2009 (18-31)	Charles Guy Cooper Graeme Scott Cooper (EX.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
GALLANT, Frederick Albert Cornwall Queens Co., PE May 2, 2009 (18-31)	Nancy McCabe (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MacDONALD, Patrick J. Alden Charlottetown Queens Co., PE May 2, 2009 (18-31)	Thomas J. MacDonald (Tommy) Francis William MacDonald (Bill) (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
MURPHY, Bernard Patrick Doha, State of Qatar United Arab Emirates (Formerly of Halifax, NS) May 2, 2009 (18-31)	Rosemary Elaine Gaudet Phyllis Marie Duffy Joseph Leaming Murphy (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
WEEKS, John Graham Winsloe Queens Co., PE May 2, 2009 (18-31)	Eleanor Bernice Weeks (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
FISHER, Evelyn Louise (nee MacKinnon), also previously known as Evelyn O'Brien and Evelyn O'Brien Fisher Church Road	Arthur John MacKinnon (AD.)	Boardwalk Law Offices 220 Water Street Parkway Charlottetown, PE



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Kings Co., PE May 2, 2009 (18-31)		
JENKINS, Charlotte Catherine Mount Mellick Queens Co., PE May 2, 2009 (18-31)	Randall I. Jenkins (AD.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
PENDERGAST, Donalda Riverview Albert Co., NB May 2, 2009 (18-31)	Elizabeth Pendergast Donald Pendergast (AD.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
McKIE, John Henry Howe Bay Kings Co., PE April 25, 2009 (17-30)	Edwin McKie (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
MULLIGAN, Isabel Ann Middleton Queens Co., PE April 18, 2009 (17-30)	Reginald Edward Mulligan D'Arcy Mulligan (EX.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
RYLE, Sidney (Sydney) Gerald Truro Colchester Co., NS April 18, 2009 (17-30)	Ursula Ryle Gulliver (EX.)	McLellan Richards & Begin PO Box 1064 779 Prince Street Truro, NS
BUOTE, Mary Cecilia North Rustico Queens Co., PE April 18, 2009 (16-29)	Debra Collister (EX.)	E. W. Scott Dickieson Law Office PO Box 1453 Charlottetown, PE
GROVES, Curtis Lawrence Shenandoah County Virginia, USA April 18, 2009 (16-29)	Terence L. McGuire (EX.)	McLellan Brennan 37 Central Street Summerside, PE
HUESTIS, Claire Summerside Prince Co., PE April 18, 2009 (16-29)	Eldon Huestis (EX.)	Cox & Palmer 82 Summer Street Summerside, PE
MacRAE, Alexander Eldon Queens Co., PE April 18, 2009 (16-29)	Donalda Ross (EX.)	Campbell Lea PO Box 429 Charlottetown, PE

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MacRAE, Rena MacLean Charlottetown Queens Co., PE April 18, 2009 (16-29)	Andrew Ian MacRae (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
GILL, David A. Stratford Queens Co., PE April 18, 2009 (16-29)	Elaine T. Gill (AD.)	Campbell Stewart PO Box 485 Charlottetown, PE
RECO SKIE, Marjorie Golden Lake Ontario April 18, 2009 (16-29)	Clarence Recoskie (AD.)	Cox & Palmer 82 Summer Street Summerside, PE
CLARKIN, Gladys I. Charlottetown Queens Co., PE April 11, 2009 (15-28)	Brian D. Clarkin Ronald J. Clarkin (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MacEWEN, Edith Blanche Charlottetown Queens Co., PE (Formerly of West St. Peters, Kings Co., PE) April 11, 2009 (15-28)	Roy Hammond MacEwen Audrey Pearl Shaw (EX.)	Boardwalk Law Office 220 Water Street Parkway Charlottetown, PE
O'DONNELL, Mary Kathleen Avondale Queens Co., PE April 11, 2009 (15-28)	Marian Murphy Janet O'Donnell Ronald O'Donnell (EX.)	Birt & McNeill 138 St. Peters Road Charlottetown, PE
PENDERGAST, Reginald T. St. Louis Prince Co., PE April 11, 2009 (15-28)	Reverend Arthur Pendergast (EX.)	McLellan Brennan 37 Central Street Summerside, PE
CONRAD, Reginald Bruce (also known as Bruce Reginald Conrad) Wellington Prince Co., PE April 11, 2009 (15-28)	Wayne Conrad Karen Newcombe (AD.)	Stewart McKelvey PO Box 2140 Charlottetown, PE

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. DAVID H. JENKINS  
Administrator

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 9 of Chapter 56 of the Acts passed by the Legislature of Prince Edward Island in the Second Session thereof held in the year 2008 and in the fifty-seventh year of Our Reign intituled "An Act to Amend the Physiotherapy 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. 56 should come into force on the 11th day of July, 2009,

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 "An Act to Amend the Physiotherapy Act" passed in the fifty-seventh year of Our Reign shall come into force on the eleventh day of July, two thousand and nine 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 David H. Jenkins, Administrator of the Province of Prince Edward Island, at Charlottetown this thirtieth day of June in the year of Our Lord two thousand and nine and in the fifty-eighth year of Our Reign.

By Command,

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. DAVID H. JENKINS  
Administrator

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 3 of Chapter 15 of the Acts passed by the Legislature of Prince Edward Island in the 4th Session thereof held in the year 2006 and in the fifty-fifth year of Our Reign intituled "An Act to Amend the Planning 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. 2006, 4th Session, c. 15 should come into force on the 30<sup>th</sup> day of June, 2009,

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 "An Act to Amend the Planning Act" passed in the fifty-fifth year of Our Reign shall come into force on the thirtieth day of June, two thousand and nine 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 David H. Jenkins, Administrator of the Province of Prince Edward Island, at Charlottetown this thirtieth day of June in the year of Our Lord two thousand and nine and in the fifty-eighth year of Our Reign.

By Command,

ROBERT ALLAN RANKIN  
Clerk of the Executive Council

The following orders were approved by the Administrator in Council dated 30 June 2009.

**EC2009-341****LEGAL PROFESSION ACT  
COUNCIL OF THE LAW SOCIETY OF  
PRINCE EDWARD ISLAND  
APPOINTMENTS**

Pursuant to clause 7(1)(c) of the *Legal Profession Act* R.S.P.E.I. 1988, Cap. L-6.1, Council made the following appointments:

NAME	TERM OF APPOINTMENT
Robert Clow Fairview (vice George Cantelo, term expired)	30 June 2009 to 30 June 2012
Gordon MacBeath Marshfield (vice Lorraine Robinson, term expired)	30 June 2009 to 30 June 2012

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**EC2009-345****LUCY MAUD MONTGOMERY ACT  
LUCY MAUD MONTGOMERY FOUNDATION  
BOARD OF DIRECTORS  
APPOINTMENTS**

Pursuant to section 3 of the *Lucy Maud Montgomery Foundation Act* R.S.P.E.I. 1988, Cap. L-18 Council made the following appointments:

NAME	TERM OF APPOINTMENT
Teruyko Kamikawa Clinton (reappointed)	20 April 2009 to 20 April 2014
Eliza MacEwen Campbellton (reappointed)	21 July 2009 to 21 July 2014

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**EC2009-352****PLANT HEALTH ACT  
APPOINTMENT OF AGENT  
(APPROVED)**

Pursuant to clause 1(a) of the *Plant Health Act* R.S.P.E.I. 1988, Cap. P-9.1, Council appointed Brian Craig, Plant Health Regulatory Manager, Department of Agriculture, to serve at pleasure as agent to exercise such powers and perform such duties as are necessary for the administration and enforcement of the *Plant Health Act* and the *Plant Health Act* Potatoes Regulations (EC138/95) as authorized by the Minister pursuant to section 2 of the Act and subsection 3(4) of the Regulations.

Further, Council ordered that should Brian Craig cease to be employed by the Province of Prince Edward Island as an employee of the Department of Agriculture, that his appointment as Agent pursuant to the *Plant Health Act* shall terminate coincident with the date his employment terminates.

Signed,  
Robert Allan Rankin  
Clerk of the Executive Council

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**AMENDMENTS TO SECTION 20**  
of the Regulations pursuant to the  
*Legal Profession Act*

Delete entire existing Regulation 20 and replace with the following:

Requirements for Resumption of Practising Status

20. (1) A non-practising member may apply to Council to resume practicing status.
- (2) An application under subsection 20(1), shall be in the prescribed form and shall also provide
- (a) professional history;
  - (b) information confirming good character;
  - (c) if the member is a member of another law society, certificates of standing from each jurisdiction;
  - (d) such other information that may be required by Council, which may include medical information.
- (3) If a non-practising member retains that status for a period of less than five (5) years, the member's application under subsection 20(1) may be approved by Council with or without further requirements.
- (4) If a non-practising member retains that status for a period of five (5) years or more, or the facts disclosed in the application or otherwise known to the Society raise public interest issues, the member may be admitted as a practicing member upon the member completing one or more of the following, as determined by Council:
- (a) a period of articles;
  - (b) a period of service with a practising lawyer;
  - (c) the Bar Admission Course;
  - (d) passing such examinations as Council may require;
  - (e) satisfying Council of the member's fitness for resumption of practice;
  - (f) such other requirements as may be required by Council.
- (5) In making a determination about the good character or fitness of an applicant, Council is not bound by certificates of character, certificates of standing or any other material regarding the application and may make such inquiries and require such evidence as Council, in its sole discretion, deems appropriate in the circumstances.
- (6) Any member or former member who is a judge of the Supreme Court or of the Provincial Court or a Minister of the Crown who, within one year after retirement or termination of office, indicates to the Council a desire:
- (a) to resume actual practice, shall be issued a practicing certificate by the Secretary-Treasurer, provided such member or former member held a practicing certificate when appointed to office, or
  - (b) to become a non-practicing or retired member, shall be so designated by Council upon payment of the appropriate fee.
- (7) The Secretary-Treasurer shall issue a practicing certificate to a non-practicing member upon the member's application to Council for practicing status, if such member
- (a) obtained from the Council a leave of absence prior to being designated as a non-practicing member, and complied with conditions of the leave of absence, or
  - (b) was in the employ of the Federal Government as a barrister or solicitor and gave notice to the Council of such employment at any time prior to the expiration of one year after the commencement of such employment.

**NOTICE OF CHANGE  
OF CORPORATE NAME**

*Companies Act*  
R.S.P.E.I. 1988, CAP. C-14, S. 81.1

Public Notice is hereby given that under the Companies Act the following corporation has changed its corporate name:

Former Name SKERRY ENTERPRISES  
LIMITED  
New Name DIVERSIFIED  
APPLICATIONS LTD.  
Effective Date: June 30, 2009  
28

**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: THE SOURCE BY CIRCUIT CITY  
Owner: INTERTAN CANADA LTD.  
Registration Date: July 07, 2009

Name: ALL'S WELL ON THE  
WHEATLEY  
Owner: Jack R. Williams  
Registration Date: July 07, 2009

Name: HEALTHY VIBES  
Owner: Roger W.R. Smith  
Registration Date: July 02, 2009

Name: JUST DUCK INN GUEST HOUSE  
AND COTTAGES  
Owner: Maria Gibson  
Registration Date: June 26, 2009

Name: OLD CREEL CANOES AND  
KAYAKS PEI  
Owner: Carolyn Thorne  
Registration Date: July 02, 2009

Name: THE THOUGHTFUL GIVER  
Owner: Georgina Lebedev  
Registration Date: July 03, 2009  
28

**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: 101309 P.E.I. INC.  
103 Summer Street  
Summerside, PE C1N 3J3  
Incorporation Date: July 06, 2009

Name: 101312 P.E.I. INC.  
184 Belvedere Avenue  
Charlottetown, PE C1A 2Z1  
Incorporation Date: June 30, 2009

Name: AVIATION HERITAGE SOCIETY  
(PEI) INC.  
173 Victoria Road  
Summerside, PE C1N 2G8  
Incorporation Date: June 30, 2009

Name: DARNLEY SHORE ESTATES  
PROPERTY OWNERS  
ASSOCIATION LTD.  
116 Basinview Crescent  
Lower Darnley, PE C0B 1M0  
Incorporation Date: June 30, 2009

Name: STRATFORD AREA  
WATERSHED IMPROVEMENT  
GROUP INC.  
234 Shakespeare Drive  
Stratford, PE C1B 2V8  
Incorporation Date: July 03, 2009  
28

**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: 101054 P.E.I. INC.  
Purpose To increase the authorized capital.  
Effective Date: June 30, 2009

Name: DELTA FOODS LIMITED  
 Purpose To increase the authorized capital.  
 Effective Date: June 29, 2009

Name: SUNNY ISLE FARMS LIMITED  
 Purpose To increase the authorized capital.  
 Effective Date: June 30, 2009

28

### 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: RED SHORES RACETRACK & CASINO  
 Owner: ATLANTIC LOTTERY CORPORATION INC. - SOCIETE DES LOTERIES DE L'ATLANTIQUE INC.  
 922 Main Street  
 Moncton, PE E1C 8W6  
 Registration Date: July 06, 2009

Name: RED SHORES AT SUMMERSIDE  
 Owner: ATLANTIC LOTTERY CORPORATION INC. - SOCIETE DES LOTERIES DE L'ATLANTIQUE INC.  
 922 Main Street  
 Moncton, NB E1C 8W6  
 Registration Date: July 06, 2009

Name: FRANKLIN TEMPLETON MANAGED INVESTMENT SOLUTIONS/SOLUTIONS DE PLACEMENT GÉRÉES  
 Owner: FRANKLIN TEMPLETON FIDUCIARY TRUST COMPANY OF CANADA  
 200 King Street West  
 Suite 1500  
 Toronto, ON M5H 3T4  
 Registration Date: July 06, 2009

Name: BOARDWALK PIZZARIA AT CAVENDISH  
 Owner: Shawn Donovan  
 9139, Route #6  
 Cavendish, PE C0A 1N0  
 Owner: Matt Duffy  
 854 Monaghan Road  
 Lake Verde, PE C1A 7J8  
 Registration Date: July 03, 2009

Name: CLEO COUNSELLING AND CONSULTING  
 Owner: Carolyn Thorne  
 41 Woodlawn Drive  
 Charlottetown, PE C1A 6K8  
 Registration Date: July 02, 2009

Name: COMMMPLETLY DONE  
 Owner: Debbie Myers  
 Lot 16 Civic #991  
 Miscouche, PE C0B 1T0  
 Registration Date: June 30, 2009

Name: DMN PARTS BROKERING SERVICES  
 Owner: Devin Nolan  
 2882 County Line Road  
 P.O. Box 8315  
 Kensington, PE C0B 1M0  
 Registration Date: July 03, 2009

Name: EAST 2 WEST SEAFOOD  
 Owner: Kevin J. Ironmonger  
 181 Carvell St.  
 Apt. 3  
 Summerside, PE C1N 4Z5  
 Registration Date: July 06, 2009

Name: ISLAND GIFT BASKETS  
 Owner: Dorothy Boschma-Campbell  
 P.O. Box 320  
 55 Lady Slipper Drive  
 Miscouche, PE C0B 1T0  
 Registration Date: July 03, 2009

Name: JUST FOR YOU - SENIOR SERVICES  
 Owner: Linda Dockendorff  
 174 Hanover St.  
 Summerside, PE C1N 1E6  
 Owner: Donna L. Clow  
 130A Granville Street  
 Summerside, PE C1N 2Z6  
 Registration Date: July 03, 2009

Name: MCMILLAN REAL ESTATE  
 Owner: Sandra McMillan  
 68 Keppoch Road  
 Stratford, PE C1B 2J2  
 Registration Date: July 03, 2009

Name: POND SETTLEMENT FARMS  
 Owner: Jason Murnaghan  
 747 Tarantum Road  
 R R # 5  
 Charlottetown, PE C1A 7J8  
 Owner: Bert Murnaghan  
 697 Tarantum Road  
 R R # 5  
 Charlottetown, PE C1A 7J8  
 Registration Date: July 02, 2009

Name: TACTI-CUL  
 Owner: Ross Munro  
 50 Villa Avenue  
 Charlottetown, PE C1A 2B1  
 Owner: Steven Louisa  
 Charlottetown, PE C1A 1T6  
 Registration Date: July 07, 2009



Name: WINDSOLUTIONS SYSTEMS  
CANADA  
Owner: Arthur John Munro  
174 Cedar St.  
Summerside, PE C1N 3R3  
Registration Date: July 03, 2009  
28

**Court File No. S1-GS-22276****SUPREME COURT OF  
PRINCE EDWARD ISLAND  
(GENERAL SECTION)**

BETWEEN: CHRIS QUEEN  
PLAINTIFF

AND: DARREN MCQUAID  
DEFENDANT

**SUMMONS**

TO: Darren McQuaid  
Alberta, Canada

YOU ARE REQUIRED TO ATTEND TO GIVE EVIDENCE IN COURT at the hearing of this proceeding on Thursday, August 6, 2009, at 10:10 in the forenoon at the Sir Louis Henry Davies Law Courts, 42 Water Street, Charlottetown, Province of Prince Edward Island, to show cause why the sale of lands pursuant to the *Judgment and Execution Act*, R.S.P.E.I. 1988, Cap. J-2, should not be confirmed, and to remain until your attendance is no longer required.  
YOU ARE REQUIRED TO BRING WITH YOU and produce at the hearing the following documents: any and all documents and records relating to the matter.

DATE: ISSUED BY:  
Registrar  
42 Water Street  
Charlottetown, P.E.I.

This summons was issued at the request of, and inquiries may be directed to:

GEOFFREY D. CONNOLLY  
STEWART MCKELVEY  
65 Grafton Street  
P.O. Box 2140  
Charlottetown, PEI  
Canada C1A 1K8  
Telephone: 902.892.2485  
Facsimile: 902.566.5283  
Solicitor for the Plaintiff

28

**NOTICE  
CHANGE OF NAME**

Be advised that a name change under the *Change of Name Act* S.P.E.I. 1997, C-59 was granted as follows:

Former Name: JOSHUA TYLER WAYNE  
TRENCHARD  
Address: 704 PEMBROOKE ROAD  
RR 4  
MONTAGUE PE C0A 1R0  
Present Name: JOSHUA TYLER WAYNE  
JAMIESON

JUNE , 2009

T.A. Johnston  
Director of Vital Statistics

28

**NOTICE  
CHANGE OF NAME**

Be advised that a name change under the *Change of Name Act* S.P.E.I. 1997, C-59 was granted as follows:

Former Name: DEAN MARTIN  
MCKENZIE  
Address: 248 MAPLE STREET  
BOX 354  
MONTAGUE PE C0A 1R0  
Present Name: DEAN MARTIN  
MACKENZIE

JULY 02, 2009

T.A. Johnston  
Director of Vital Statistics

28

**NOTICE  
CHANGE OF NAME**

Be advised that a name change under the *Change of Name Act* S.P.E.I. 1997, C-59 was granted as follows:

Former Name: SHAYNA LYNNE ROSE  
POULTON  
Address: 1065 SOUTH MELVILLE  
BONSHW PE C0A 1C0  
Present Name: SHAYNE LYNNE ROSE  
MONAGHAN

JULY 02, 2009

T.A. Johnston  
Director of Vital Statistics

28

**NOTICE  
CHANGE OF NAME**

Be advised that a name change under the *Change of Name Act* S.P.E.I. 1997, C-59 was granted as follows:

Former Name: RAYMOND NICHOLAS  
HUNTLEY  
Address: PO BOX 57 611 6<sup>TH</sup> STREET  
SUMMERSIDE PE C0B 2A0  
Present Name: RAYMOND NICHOLAS  
SULLIVAN

JUNE 30, 2009

T.A. Johnston  
Director of Vital Statistics

28

**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 registered effective July 11 2009, for the purpose of solemnizing marriages in the province of Prince Edward Island, through the regulations of the province:

Christopher Steven Nicholson  
234 Queens Rd.  
RR #3 Montague, PE  
C0A 1R0

T.A. Johnston  
Director of Vital Statistics

28

**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 registered effective July 11 2009, for the purpose of solemnizing marriages in the province of Prince Edward Island, through the regulations of the province:

Shane Russell Robert White  
513 Main St.  
Montague, PE  
C0A 1R0

T.A. Johnston  
Director of Vital Statistics

28

**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 August 1, 2009 - October 01, 2009 for the purpose of solemnizing marriage in the province of Prince Edward Island:

Rev. Chesley Boutilier  
7 Boutilier Lane  
R.R. # 2, Kensington, PEI  
C0B 1M0

T.A. Johnston  
Director of Vital Statistics

28

**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 for the purpose of solemnizing marriages in the province of Prince Edward Island from July 24 - August 9, 2009:

Rev. Fred A. DeJong  
24324 Pear Tree Way  
Plainfield Ill.  
USA 60544

T.A. Johnston  
Director of Vital Statistics

28

**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 for the purpose of solemnizing marriages in the province of Prince Edward Island on August 22, 2009:

Rev. Robert C. Ohsberg  
32 Jackladder Drive  
Lower Sackville, NS  
B4E 2X5

T.A. Johnston  
Director of Vital Statistics

28

**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 for the purpose of solemnizing marriages in the province of Prince Edward Island on July 25, 2009:

Rev. James Profit, SJ  
Immaculate Conception Parish  
Palmer Rd.  
RR#1 St. Louis, PE  
C0B 1Z0

T.A. Johnston  
Director of Vital Statistics

28

**NOTICE**  
**OF SALE OF LAND**  
Under the  
*Judgment and Execution Act*

Court File No.: S1-gs-22792  
Supreme Court of Prince Edward Island  
(General Section)

Between:  
Bank of Montreal (Plaintiff)  
And:  
Estate of Carmen L. Phillips,  
Also Known As Estate of Carman L. Phillips  
(Defendant)

TO BE SOLD by Public Auction in front of the Courthouse, 108 Central Street, Summerside, Prince County, Prince Edward Island, on Wednesday, the 12<sup>th</sup> day August, 2009, at the hour of 12:05 o'clock in the afternoon, ALL AND SINGULAR the interest of the Estate of Carmen L. Phillips, also known as the Estate of Carman L. Phillips, in the lands located at 65 Lupin Lane, Ellerslie-Bideford, in Prince County, Prince Edward Island, and being the property designated by Provincial Property Number 438929.

The above sale is made pursuant to the powers contained in the *Judgment and Execution Act*, R.S.P.E.I. 1988, Cap. J-2, and by virtue of an unsatisfied Judgment of the Supreme Court of Prince Edward Island dated the 10<sup>th</sup> day of December, 2008 by the Bank of Montreal (Plaintiff) against Estate of Carmen L. Phillips, also known as Estate of Carman L. Phillips (Defendant). The amount of the levy being \$14,179.36.

DATED this 6<sup>th</sup> day of July, A.D. 2009.

Phillip LeBlanc  
Sheriff of Prince County

28

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The ROYAL GAZETTE is issued every Saturday from the office of Michael Fagan, Queen's Printer, PO Box 2000, Charlottetown, PEI C1A 7N8. All copy must be received by the Tuesday preceding day of publication. The subscription rate is \$55.00 per annum, postpaid; single copies are \$2.00 each, postpaid or \$1.00 each, over the counter.

## PART II REGULATIONS

**EC2009-346**

### PHARMACY ACT INTERCHANGEABLE DRUG LIST REGULATIONS

(Approved by the Administrator in Council dated 30 June 2009.)

Pursuant to section 28.2 of the *Pharmacy Act* R.S.P.E.I. 1988, Cap. P-6, Council made the following regulations:

**1. In these regulations**

Definitions

- |  |                                 |
|--|---------------------------------|
| (a) “interchangeable drug product” means a drug product listed on the interchangeable drug list established under subsection 28.1(1) of the Act; | interchangeable<br>drug product |
| (b) “patient” means a person for whom a drug product is prescribed;  | patient                         |
| (c) “prescriber” means   | prescriber                      |
| (i) a medical practitioner,  |                                 |
| (ii) a dentist licensed under the <i>Dental Profession Act</i> R.S.P.E.I. 1988, Cap. D-6, or   |                                 |
| (iii) any other person authorized by the Minister to prescribe a drug;   |                                 |
| (d) “representative” means an adult who attends a pharmacy on behalf of a patient to obtain a drug product for the patient.                      | representative                  |

#### INTERCHANGEABLE DRUG LIST COMMITTEE

- |   |                                  |
|---|----------------------------------|
| 2. (1) The term of appointment of members to the Committee shall be up to three years.  | Terms of<br>Committee<br>members |
| (2) Committee members may be re-appointed.  | Re-appointment                   |
| 3. Three members of the Committee shall constitute a quorum.  | Quorum                           |
| 4. (1) A Committee member may resign at any time by giving written notice to the Minister.  | Registration                     |
| (2) The Minister may terminate the appointment of a Committee member by providing written notice to the Committee member where the Committee member | Termination by<br>Minister       |
| (a) has ceased to be a resident of the province;  |                                  |
| (b) has failed to declare the Committee member’s conflict of interest in the matter pursuant to section 5; or                                       |                                  |

(c) has had the Committee member's license suspended or revoked by an appropriate regulatory body pursuant to clauses 28(2)(a) or (b) of the Act.

- Conflict of interest    **5.** Where a Committee member knows or ought reasonably to know that he or she may be in a conflict of interest with respect to a matter before the Committee, that Committee member shall
- (a) declare his or her interest at the outset of that meeting; and
  - (b) refrain from voting on that matter.

#### INTERCHANGEABLE DRUG LIST

- Interchangeable drug list    **6.** Before making any recommendations to the Minister with respect to the establishment of the interchangeable drug list, the Committee shall review the interchangeable drug lists of other jurisdictions and the drug products currently listed as being interchangeable by Prince Edward Island drug benefit plans in the province.

- Ministerial review    **7.** The Minister shall review the recommendations of the Committee and may
- (a) approve the Committee's recommendations;
  - (b) add further drug products to the list recommended by the Committee; or
  - (c) remove drug products from the interchangeable drug list recommended by the Committee where the Minister considers it is in the public interest to do so.

- Caution    **8.** Where the Minister considers it is in the public interest to do so, the Minister shall place a caution on a drug product on the list, including a caution that the drug product is interchangeable only in the treatment of a specific illness or condition.

- Prescription drugs    **9.** Only Schedule I drugs shall be included in the interchangeable drug list.

- Required documentation    **10.** (1) For each strength and dosage form of a drug product that a manufacturer wishes to be considered for inclusion on the interchangeable drug list, the manufacturer shall submit to the Committee the following documentation:
- (a) a copy of the Notice of Compliance issued by Health Canada;
  - (b) a copy of the product monograph approved by Health Canada;
  - (c) a letter authorizing the Committee to exchange information concerning the drug product with representatives of
    - (i) the government of Prince Edward Island,
    - (ii) Health Canada,
    - (iii) the Patented Medicine Prices Review Board,
    - (iv) the Canadian Agency for Drugs and Technologies in Health,

- (v) the government of any Canadian province or territory or body in any province or territory with responsibility for the interchangeability of drug products,
- (vi) Canadian federal government drug programs,
- (vii) health authorities in the province;
- (d) evidence that the manufacturer is able to supply the drug product in quantities sufficient to meet the anticipated demand in the province;
- (e) evidence that the drug product is currently listed in the *Compendium of Pharmaceuticals and Specialties*, or a letter of intent to have the drug product so listed;
- (f) evidence showing that
  - (i) the dosage form, strength, formula, manufacturing process, and testing standards of the submitted drug product are identical to those of the original drug product to which it is compared,
  - (ii) Health Canada has designated the submitted drug product as being equivalent to the original drug product to which it is compared through designation of the original drug product as the Canadian Reference Product under the Food and Drug Regulations (Canada), or
  - (iii) comparative bioavailability studies on humans, comparative clinical studies on humans, or both, or other *in vivo* studies, show the interchangeability of the submitted drug product with the original drug product to which it is compared.

(2) Where the requirement in clause 10(1)(b) cannot be met because Health Canada has not approved a product monograph for the drug product being submitted to the Committee by the manufacturer, the manufacturer shall submit the following to the Committee: Exception

- (a) pharmaceutical information;
- (b) information with respect to the clinical pharmacology of the drug product;
- (c) information with respect to the indications and clinical use of the drug product;
- (d) a list of any contraindications, warnings, or precautions in the use of the drug product and possible adverse reactions to its use;
- (e) a list of symptoms of an overdose of the drug product and information with respect to the treatment of an overdose;
- (f) information with respect to the dosage and administration of the drug product;
- (g) information with respect to the availability of dosage forms for each strength of the drug product marketed in Canada.

**11.** The Committee may recommend to the Minister that a drug product be placed on the interchangeable drug list where Committee recommendation

- (a) the dosage form, strength, formula, manufacturing process, and testing standards of the drug product are identical to those of the original drug product to which it is compared;

(b) the drug product is designated by Health Canada as being equivalent to the original product the drug product is being compared with, through designation of the original drug product as the Canadian Reference Product under the Food and Drug Regulations (Canada);

(c) the drug product is designated as an interchangeable drug product in another Canadian jurisdiction and is available for purchase by pharmacies in the province; or

(d) the drug product is shown, to the satisfaction of the Committee, in comparative bioavailability studies on humans, comparative clinical studies on humans, or both, or other *in vivo* studies, to be the equivalent to the original product.

Refusal in public interest

**12.** On receipt of a recommendation from the Committee for the placement of a drug product on the interchangeable list, the Minister may, notwithstanding the recommendation, refuse to place the drug product on the interchangeable drug list if the Minister considers it advisable, in the public interest, to do so.

Immediate removal of drug product

**13.** (1) The Minister shall immediately remove a drug product from the interchangeable drug list where

(a) Health Canada has withdrawn its approval for the sale of the drug product in Canada; or

(b) the Minister considers it advisable in the public interest to do so.

Removal of drug product within 180 days

(2) The Minister shall remove a drug product from the interchangeable drug list within 180 days of receipt of either:

(a) a notification from the manufacturer that the sale of the drug product in Canada has been discontinued; or

(b) a notification from Health Canada or the manufacturer that all other products that the drug product is listed as being interchangeable with have been discontinued by the manufacturer or are no longer approved for sale in Canada.

Circulation and posting of interchangeable drug list

**14.** The Minister shall cause the interchangeable drug list and any changes made to it to be

(a) circulated to all pharmacies and all medical practitioners in the province; and

(b) posted on the government website.

#### RULES FOR PRESCRIBING AND DISPENSING INTERCHANGEABLE DRUG PRODUCTS

Written provision for no substitutions

**15.** (1) Where a prescriber of a written prescription is of the opinion that a drug product other than the one specified in the written prescription should not be substituted, the prescriber shall clearly write on the prescription the words "No Substitution".



(2) Where a prescriber of a prescription by oral or electronic transmission is of the opinion that a drug product other than the one specified in the prescription should not be substituted, the prescriber shall instruct accordingly each time a prescription is transmitted.

Oral or electronic  
provision for no  
substitutions

(3) A pharmacist shall follow the prescriber's instructions not to select a drug product other than the one specified in the prescription when filling the initial prescription and when filling any refills of the same prescription, unless the prescriber otherwise instructs.

Pharmacists' duties

**16.** Where a prescriber fails to indicate, in accordance with subsection 15(1) or (2), that there may be no substitution for the drug product specified in a prescription, the pharmacist filling the prescription shall

Substitutions

(a) dispense the lowest-priced drug product that is listed on the interchangeable drug list as a drug product that may be used interchangeably with the drug product specified in the prescription; or

(b) if the drug product referred to in clause (a) is not available due to the inability or failure of the manufacturer to supply the drug product, dispense

(i) the drug product specified in the prescription, or

(ii) any other drug product that is listed on the interchangeable drug list as a drug product that may be used interchangeably with the drug product specified in the prescription,

at the price of the second lowest-priced drug product on the list that may be used interchangeably with the drug product specified in the prescription.

**17.** Where a drug product other than the drug product specified in the prescription is dispensed, the pharmacist shall inform the patient or the patient's representative that an interchangeable drug product has been dispensed.

Information  
regarding  
interchangeable  
drug products

**18.** (1) Notwithstanding anything to the contrary in section 16, a patient may, in person or through a representative,

Patient's right to  
refuse

(a) refuse to accept a drug product listed on the interchangeable drug list in substitution for the drug product prescribed by a prescriber; or

(b) request the substitution, for the drug product prescribed by a prescriber, for a drug product on the list other than the lowest-priced interchangeable drug.

(2) Where the patient has refused a substitute or requested a substitute other than the lowest-priced, the pharmacist shall explain

Pharmacist's duties

(a) the nature of the interchangeable drug list; and

(b) the relative prices of the drug product specified in the prescription and the interchangeable drug product listed on the interchangeable drug list.

(3) If, following the explanation by the pharmacist required under subsection (2), the patient maintains his or her refusal or request referred

Dispensing drug  
chosen by patient

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	to in subsection (1), the pharmacist shall dispense the drug product chosen by the patient, at the cost of the drug product chosen by the patient.
Offence	<b>19.</b> The Board shall consider, under section 17 of the Act, a contravention of these regulations by a pharmacist to be improper professional conduct.
Revocation	<b>20.</b> The <i>Pharmacy Act</i> Interchangeable Drug List Regulations (EC288/05) are revoked.
Commencement	<b>21.</b> These regulations come into force on July 11, 2009.

### EXPLANATORY NOTES

**SECTION 1** defines terms used in these regulations.

**SECTION 2** specifies terms of appointments for Committee members.

**SECTION 3** determines the quorum for the Committee.

**SECTION 4** determines resignations and terminations of Committee members.

**SECTION 5** provides for a Committee member's conflict of interest.

**SECTION 6** provides for the Committee's review of an initial interchangeable drug list and recommendations respecting interchangeable drug products.

**SECTION 7** provides for Ministerial review of the recommendations of the Committee.

**SECTION 8** permits the Minister to place a caution on a drug product on the interchangeable drug list.

**SECTION 9** provides that only prescription drugs will be included on the interchangeable drug list.

**SECTION 10** lists the documentation required by a manufacturer in order to have a drug product placed on the interchangeable drug list.

**SECTION 11** lists the criteria to be met before the Committee makes a recommendation that a drug product be placed on the interchangeable drug list.

**SECTION 12** provides that a drug will not be placed on the interchangeable drug list if it is not advisable in the public interest to do so.

**SECTION 13** lists circumstances in which a drug product is removed from the interchangeable drug list.

**SECTION 14** requires the circulation and posting of the interchangeable drug list.

**SECTION 15** provides for circumstances where a prescriber may specify that a prescribed drug not be substituted by a drug product on the interchangeable drug list.

**SECTION 16** provides that a pharmacist dispense the lowest-priced drug product that is on the interchangeable drug list.

**SECTION 17** provides that a pharmacist shall inform a person when an interchangeable drug product is being dispensed.

**SECTION 18** provides the patient the right to refuse a drug product, and sets out a pharmacist's duties to explain the nature of the interchangeable drug list.

**SECTION 19** is the offence provision.

**SECTION 20** provides for the commencement of these regulations.

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

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**EC2009-348**

**PHYSIOTHERAPY ACT  
STANDARDS AND DISCIPLINE REGULATIONS  
AMENDMENT**

(Approved by the Administrator in Council dated 30 June 2009.)

Pursuant to section 4 of the *Physiotherapy Act* R.S.P.E.I. 1988, Cap. P-7, Council approved the following regulations made by the Council of the Prince Edward Island College of Physiotherapists, after consultation with the general membership of the College:

**1. Section 4 of the *Physiotherapy Act* Standards and Discipline Regulations (EC265/90) is revoked.**

**2. Section 37 of the regulations is amended by the deletion of the words “payment of the fee prescribed” and the substitution of the words “payment of the fee established by the bylaws”.**

**3. These regulations come into force on July 11, 2009.**

#### EXPLANATORY NOTES

**SECTION 1** revokes a provision that requires compliance with provisions in another regulation that have been repealed.

**SECTION 2** makes a wording change to recognize that an authorization fee is no longer to be prescribed by the regulations. After recent amendments to the Act, such fees will now be determined in the bylaws made by the Council of the Prince Edward Island College of Physiotherapists.

**SECTION 3** provides for the commencement of these regulations.

Certified a true copy,

Robert Allan Rankin

Clerk of the Executive Council

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**EC2009-349**

#### **PHYSIOTHERAPY ACT AUTHORIZATION REGULATIONS AMENDMENT**

(Approved by the Administrator in Council dated 30 June 2009.)

Pursuant to section 4 of the *Physiotherapy Act* R.S.P.E.I. 1988, Cap. P-7, Council approved the following regulations made by the Council of the Prince Edward Island College of Physiotherapists, after consultation with the general membership of the College:

**1. Clause 5(1)(c) of the *Physiotherapy Act* Authorization Regulations (EC574/03) is revoked and the following substituted:**

(c) pays the fee established by the bylaws.

**2. Section 8 of the regulations is amended by the deletion of the words “the late renewal fee prescribed” and the substitution of the words “the late renewal penalty established by the bylaws”.**

**3. Section 16 of the regulations is revoked.**

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**4. These regulations come into force on July 11, 2009.****EXPLANATORY NOTES**

**SECTION 1** makes a wording change to recognize that a license endorsement fee is no longer to be prescribed by the regulations. After recent amendments to the Act, such fees will now be determined in the bylaws made by the Council of the Prince Edward Island College of Physiotherapists.

**SECTION 2** replaces wording that indicates that a late license renewal penalty is prescribed by the regulations with new wording that indicates that the fee is established by bylaws.

**SECTION 3** revokes a provision in the regulations prescribing the fees that are currently payable for applications for the issuance and renewal of licenses and for the addition of an endorsement to a license concerning acupuncture.

**SECTION 4** provides for the commencement of these regulations.

Certified a true copy,

Robert Allan Rankin

Clerk of the Executive Council

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**EC2009-351**

**PLANT HEALTH ACT  
POTATOES REGULATIONS  
AMENDMENT**

(Approved by the Administrator in Council dated 30 June 2009.)

Pursuant to section 6 of the *Plant Health Act* R.S.P.E.I. 1988, Cap. P-9.1, Council made the following regulations:

**1. Section 3 of the *Plant Health Act* Potatoes Regulations (EC138/95) is amended by the addition of the following after subsection (3):**

(4) The Minister may appoint an agent under section 2 of the Act who shall exercise such powers and perform such duties as are necessary for the administration and enforcement of these regulations, including the power to issue summary offence tickets under the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9 in respect of a contravention of these regulations. Agent

**2. Section 5.1 of the regulations is amended****(a) by renumbering it as subsection 5.1(1); and****(b) by the addition of the following after subsection (1):**

Offence and penalty      (2) Every person who contravenes subsection (1) is guilty of an offence and is liable, on summary conviction, to a fine of not less than \$1,000 and not more than \$25,000.

**3. These regulations come into force on July 11, 2009.****EXPLANATORY NOTES**

**SECTION 1** authorizes an agent who is appointed by the Minister under section 2 of the Act, to issue summary offence tickets.

**SECTION 2** provides an offence and penalty section for the offence of storing potatoes unlawfully or permitting volunteer growth. The minimum fine is \$1,000 and the maximum fine is \$25,000.

**SECTION 3** provides for the commencement of these regulations.

Certified a true copy,

Robert Allan Rankin

Clerk of the Executive Council

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**PART II**  
**REGULATIONS INDEX**

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P-7	<b>Physiotherapy Act</b>				
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P-9.1	<b>Plant Health Act</b>				
	Potatoes Regulations	EC138/95	s.3(4) [added] s.5.1 [renum] 5.1(1) s.5.1(2) [added] [eff] July 11/09	EC2009-351 (30.06.09)	191-192