



THE NEWFOUNDLAND AND LABRADOR GAZETTE EXTRAORDINARY

PART II

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ST. JOHN'S, WEDNESDAY, JULY 8, 2020

**NEWFOUNDLAND AND LABRADOR
REGULATIONS**

**NLR 48/20
NLR 49/20
NLR 50/20**



**NEWFOUNDLAND AND LABRADOR
REGULATION 48/20**

Medical Regulations (Amendment)
under the
Medical Act, 2011

(Filed July 8, 2020)

Under the authority of section 16 of the *Medical Act, 2011*, the Council of the College of Physicians and Surgeons of Newfoundland and Labrador, with the approval of the Minister of Health and Community Services, makes the following regulations.

Dated at St. John's, June 26, 2020.

Gail Hamilton
Chair of the Council of the College of
Physicians and Surgeons of Newfoundland and Labrador

Dr. John Haggie
Minister of Health and Community Service

REGULATIONS

Analysis

1. S.7 Amdt.
Provisional licence –
primary care practice

NLR 38/15
as amended

1. Section 7 of the *Medical Regulations* is amended by adding immediately after subsection (4) the following:

(5) Notwithstanding subsections (3) and (4), where a person who holds a provisional licence under this section is not able to obtain the licentiate of the MCC within the time period referenced in subsection (3) due to the cancellation or postponement of a required qualifying examination, the council may extend the time period referenced in subsection (3) for the period of time and subject to the terms and conditions that the council considers appropriate.

(6) Where the council extends the time period referenced in subsection (3) in accordance with subsection (5), the person who holds the provisional licence shall

- (a) notify the council of the date on which the person is scheduled to complete the required qualifying examination; and
- (b) complete the required qualifying examination at the first offered sitting of the examination immediately after the expiry of the time period referenced in subsection (3), unless otherwise approved by the council.

(7) The council shall revoke the provisional licence of a person who does not obtain the licentiate of the MCC within an extended time period under subsection (5).

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**NEWFOUNDLAND AND LABRADOR
REGULATION 49/20**

Pension Benefits Act Regulations (Amendment)
under the
Pension Benefits Act, 1997
(O.C. 2020-110)

(Filed July 8, 2020)

Under the authority of section 78 of the *Pension Benefits Act, 1997*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, July 8, 2020.

Elizabeth Day
Clerk of the Executive Council

REGULATIONS

Analysis

- | | |
|--|-----------------|
| 1. S.41 Amdt.
Application to public sector
plans | 2. Commencement |
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NLR 114/96
as amended

1. (1) Subsection 41(4) of the *Pension Benefits Act Regulations* is repealed and the following substituted:

(4) Notwithstanding subsection (1), the Memorial University Pension Plan is

- (a) exempt for the period from January 1, 2019 to March 31, 2020 from the requirement that the employer pay an amount under paragraph 12(3)(d) of these regulations;
- (b) exempt from the requirement under paragraph 12(3)(c) of these regulations to liquidate the going concern unfunded liability arising from the cost of providing indexed benefits in relation to past service under section 24.1 of the *Memorial University Pensions Act* within the prescribed 15 year period and is instead permitted to liquidate this liability within 40 years from the day that indexing is effective; and
- (c) exempt for the period from April 1, 2018 to March 31, 2020 from the requirement that the employer pay an amount under paragraph 12(3)(c) of these regulations.

(2) Subsections 41(4.2), (4.3) and (4.4) of the regulations are repealed and the following substituted:

(4.2) Notwithstanding paragraph (4)(c), money required to be paid by the employer during the period from April 1, 2018 to March 31, 2020 shall be added to the end of the going concern special payment schedules in effect on April 1, 2018.

(4.3) The going concern special payment schedules in effect on April 1, 2018 based on the actuarial report of December 31, 2017 shall recommence on April 1, 2020 and shall be adjusted to add

- (a) two years of accrued interest; and
- (b) two additional years for payment.

(4.4) The interest referred to in subsection (4.3) shall be based on the going concern discount rate from the December 31, 2017 actuarial report.

Commencement

2. These regulations are considered to have come into force on April 1, 2018.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 50/20**

Wild Life Regulations (Amendment)
under the
Wild Life Act
(O.C. 2020-109)

(Filed July 8, 2020)

Under the authority of section 7 of the *Wild Life Act*, the minister, with the approval of the Lieutenant-Governor in Council, makes the following regulations.

Dated at St. John's, July 8, 2020.

Gerry Byrne
Minister of Fisheries and Land Resources

Elizabeth Day
Clerk of the Executive Council

REGULATIONS

Analysis

- | | |
|---|--|
| 1. S.42 Amdt.
Hunting at night | 3. S. 108 Amdt.
Hunting bows and arrows |
| 2. S.107 Amdt.
Firearms, ammunition,
permits and licences | |

CNLR 1156/96
as amended

Extraordinary Gazette

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July 8, 2020

1. Section 42 of the *Wild Life Regulations* is amended by adding immediately after subsection (2) the following:

(3) Notwithstanding subsections (1) and (2), where moose are considered by the minister to be a nuisance or menace and written permission of the minister or his or her agent is obtained under section 88, a person may use an artificial light or device referenced in subsection (1) and may shoot or kill moose during the period referenced in subsection (2).

2. (1) Subsection 107(3) of the regulations is repealed and the following substituted:

(3) A person shall not during any closed season for big game carry, transport or possess

- (a) a rifle or single bullet;
- (b) a rifled slug that can be fired from a shot gun; or
- (c) a ball that can be fired from a muzzle loader,

in any place known to be frequented by wild life, except a person during the prescribed open seasons may hunt small game with a rim-fire rifle not greater than .22 calibre or coyote with a centre-fire rifle not greater than .225 calibre.

(2) Subsection 107(5) of the regulations is repealed and the following substituted:

(5) A person, other than the holder of a big game licence, shall not during an open season for big game carry, transport or possess

- (a) a rifle or single bullet;
- (b) a rifled slug that can be fired from a shotgun; or
- (c) a ball that can be fired from a muzzle loader,

in any place known to be frequented by wild life within a management area other than the management area in which the big game licence is valid, except a person may, during the prescribed open seasons, hunt

small game with a rim-fire rifle not greater than .22 calibre or coyote with a centre-fire rifle not greater than .225 calibre.

(3) Subsections 107(13) and (14) of the regulations are repealed and the following substituted:

(13) The holder of a trapper's licence may carry, transport, possess and use a rim-fire rifle not greater than .22 calibre to kill fur bearing animals that are alive in traps.

(14) A person shall not hunt, take or kill any big game by means of a rifle smaller than .243 calibre or a rifle using ammunition having a bullet weight of less than 100 grains or a muzzle energy less than 1,500 foot pounds or a shotgun smaller than 20 gauge calibre.

(4) Subsection 107(19) of the regulations is repealed and the following substituted:

(19) A person shall not carry, transport or possess a loaded firearm in or on or discharge the same from any aircraft, motor car or other vehicle and for the purpose of this subsection a firearm shall be considered loaded if it has a loaded shell or cartridge in the barrel or in the magazine and that magazine is affixed to the firearm in its usual position or if an arrow is loaded in a long bow, compound bow or cross bow.

(5) Subsection 107(25) of the regulations is repealed.

3. (1) Subsection 108(1) of the regulations is repealed.

(2) Section 108 of the regulations is amended by adding immediately after subsection (3) the following:

(3.1) A person shall not hunt, take or kill any small game or big game by means of a cross bow and arrow unless the cross bow has at least 68 kilograms pull at peak draw.

(3) Subsection 108(4) of the regulations is repealed and the following substituted:

(4) A person shall not hunt, take or kill any big game by means of a long bow, compound bow or cross bow as provided in subsections

(2), (3) and (3.1) unless the arrow is tipped with a metal hunting head possessing 2 or more cutting surfaces retaining a sharpened edge.

(4) Subsection 108(7) of the regulations is repealed and the following substituted:

(7) A person shall not hunt, take or kill any small game by means of a long bow, compound bow or cross bow as provided in subsections (3.1), (5) and (6) unless the arrow is tipped with a blunt, bludgeon or other small game tip designed to kill by shock.

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