



GOVERNMENT OF
NEWFOUNDLAND
AND LABRADOR

Department of Government Services Annual Report 2003 - 04



Minister's Message

Pursuant to the 2003 Speech from the Throne, it is my honour to present the Department of Government Services Annual Report for fiscal year 2003-04.

The Department of Government Services was reorganized in February, 2004 and acquired the Occupational Health and Safety Branch, the Government Purchasing Agency and the Office of the Queen's Printer. The Lands Branch was transferred to the Department of Environment and Conservation.



The mandate of the Department of Government and Services is to provide accessible and responsive services in the areas of public health and safety, worker health and safety, the protection of consumer interests and the preservation of vital events and commercial transactions. In fulfilling this mandate, the Department administers more than 100 pieces of legislation through a staff complement of approximately 570 positions in over 40 communities across the Province.

The Department is organized into three branches - Government Services, Occupational Health and Safety, and Consumer and Commercial Affairs. It is accountable for 17 public entities.

The purpose of this document is to promote a better understanding of departmental activities and policy directions. This is accomplished by providing an overview of the Department and highlighting key statistics, accomplishments and identifying potential challenges for fiscal year 2004-05.

I would like to take this opportunity to acknowledge all those who contributed to this report and the diligent work and dedication of the staff of Government Services.

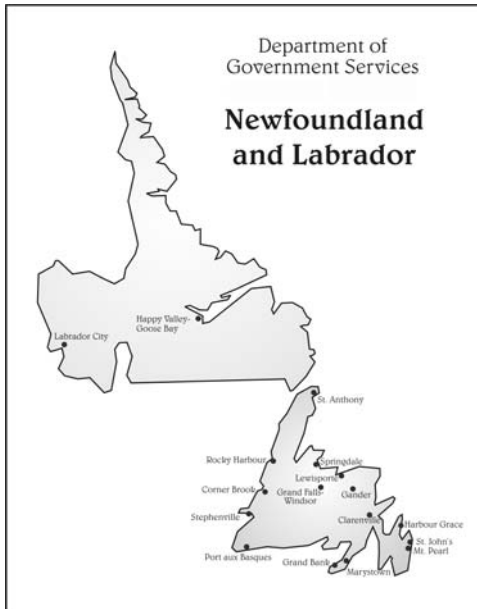
A handwritten signature in black ink that reads "Dianne Whalen". The signature is written in a cursive, flowing style.

Dianne Whalen
Minister

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DEPARTMENTAL OVERVIEW



The Department of Government Services and Lands was restructured in February, 2004 following government's decision to realign its programs and services. As such, the Department acquired responsibility for:

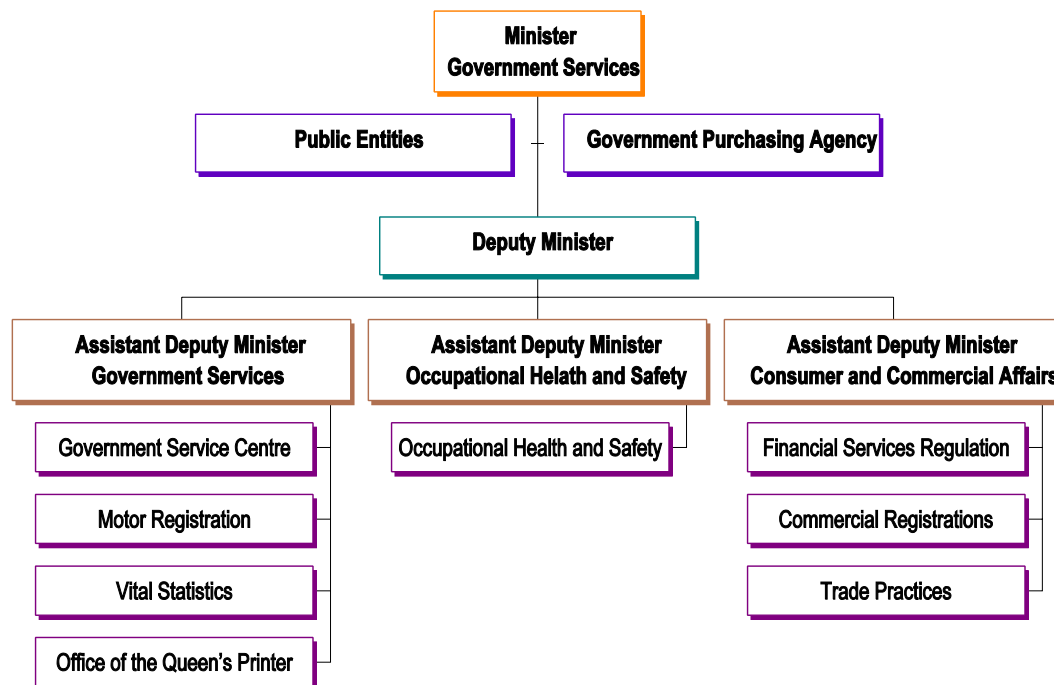
- Occupational Health and Safety
- Office of the Queen's Printer
- Government Purchasing Agency
- Occupational Health and Safety Advisory Council
- Radiation Health and Safety Advisory Committee

Responsibility for Crown Lands and the Geographical Names Board was transferred to the Department of Environment and Conservation.

This reorganization compelled a name change to the Department of Government Services and a new strategic plan, which was further necessitated by the anticipated three-year financial forecast to be released at the end of fiscal year 2004-05. Consequently, the Department will develop and implement a new strategic plan during fiscal year 2004-05.

The Department's mandate is to provide accessible and responsive service to protect the public and occupational health and safety of the residents of Newfoundland and Labrador, and to safeguard consumer interests. This authority is derived from more than 100 pieces of legislation (statutes, regulations, standards and codes of practice) and offered through more than 40 communities across the province.

The Department is organized into three branches and is accountable for 17 public entities. The following organizational chart depicts the Department's reporting structure.



The **Government Services Branch** provides a variety of services internally to government and externally to the people of this Province. This is accomplished through four divisions:

1. **Government Service Centre:** provides one-stop services to the public and business community in the areas of public health and safety.
2. **Motor Registration:** enforces highway safety and oversees vehicle registrations, and issues driver licenses.
3. **Vital Statistics:** registers and certifies all vital events (births, deaths, marriages, etc.), registers adoptions and legal name changes, and certifies clergy and civil authorities for the solemnization of marriage.
4. **Office of the Queen's Printer:** provides legislation and publications to government and the general public, as well as internal printing and micrographic services to government departments.

The **Occupational Health and Safety Branch** is dedicated to promoting and protecting the health and safety of workers throughout the province. Responsibilities include development and enforcement of occupational health and safety legislation, inspection of workplaces and the investigation of workplace complaints, serious accidents and fatalities. The Branch consists of one Director of Occupational Health and Safety and is organized into four units:

1. Inspections (Eastern Region)
2. Inspections (Western Region)
3. Occupational Health
4. Compliance and Regulatory Affairs

Upon its amalgamation with the Department of Government Services the Occupational Health and Safety Branch acquired a portion of the Policy and Planning division of the former Department of Labour. This necessitates a realignment of the organizational structure of the Branch, which will be addressed during fiscal year 2004-05.

The **Consumer and Commercial Affairs Branch** provides protection for consumers while facilitating commerce in the Province. This is accomplished through three divisions:

1. **Financial Services Regulation:** regulates individuals and companies that provide financial products and services to the public. The regulated sectors include insurance, securities, pensions, real estate, mortgage brokers, prepaid funerals and deposit taking loan and trust companies.
2. **Commercial Registrations:** registers transactions for real and personal property in the Province and all corporations, cooperatives and limited partnerships, for the purpose of ensuring these companies uphold their legal responsibilities as prescribed by legislation. It also registers mechanics liens and condominiums.
3. **Trade Practices:** regulates individuals and corporations to ensure a fair and equitable marketplace, protects the interests of consumers, mediates and adjudicates disputes between residential landlords and tenants, and regulates charitable and non-profit organization's lottery fund-raising activities. It also licenses and regulates the collection agency, private investigation and security guard service industry.

Budgetary decisions made for fiscal year 2004-05 called for a reorganization of this Branch. As such, the former divisions Trade Practices and Licensing and Residential Tenancies were combined to form the Trade Practices Division. The Securities Division was combined with the Insurance and Pensions Division to establish the Financial Services Regulation Division. These changes were implemented upon the release of the Estimates 2004-05 on March 30, 2004.

In Fiscal Year 2003-04 the Agency issued \$248 million in direct and delegated purchases and \$31 million in consumable goods contracts through its Central Purchasing division.

The **Government Purchasing Agency** procures goods and services directly on behalf of all government departments in accordance with the *Public Tender Act* and Regulations. The Agency is also responsible for other activities which include the disposal of assets, administration of procurement

agreements, advertising, administration of the government charge card, supplier development and compliance auditing and reporting. The Department intends to put forward a proposal, pursuant to government direction, to the House of Assembly during fiscal year 2004-05, to establish the Government Purchasing Agency as an independent public entity.

The Department is also accountable for 17 **Public Entities**, two of which are identified as a category one public entity (Credit Union Deposit Guarantee Corporation and the Petroleum Products Pricing Commission). These entities independently provide annual reports, upon approval by the Minister of Government Services, to the House of Assembly.

The remaining entities are classified as category three and provide annual activity letters. These entities are as follows:

- Boiler/Pressure Vessel Advisory Board
- Boiler/Pressure Vessel Appeal Tribunal
- Buildings Accessibility Advisory Board
- Buildings Accessibility Appeal Tribunal
- Consumer Protection Fund for Prepaid Funerals
- Driver's Licence Medical Advisory Board
- Driver's Licence Suspension Review Board
- Embalmers and Funeral Directors Board
- Insurance Adjusters, Agents and Brokers Appeal Board
- Occupational Health and Safety Advisory Council
- Public Accountants Licensing Board
- Radiation Health and Safety Advisory Committee
- Real Estate Advisory Board
- Real Estate Foundation
- Securities Commission

The annual reporting requirements for the Securities Commission is fulfilled within the body of this report. The annual reporting requirements of the Consumer Protection Fund for Prepaid Funerals and the Public Accountants Licensing Board are provided independently from the Departmental Annual Report, to the House of Assembly, upon approval by the Minister of Government Services, because they are annually audited by the Auditor General's Office. The remainder of the public entities fulfill their annual reporting requirements as an appendix to the Departmental Annual Report.

SHARED COMMITMENTS

In fulfilling its mandate, Government Services collaborates with many other departments/agencies, industry, and federal/provincial/territorial (F/P/T) governments and regulatory agencies. Our approach to addressing those issues which challenge our ability to fulfil our legislated responsibilities is directly impacted by the strength of our collaborative relationships with our partners and key stakeholders.

Government Services Branch

Departments/Agencies

The Government Services Centre (GSC) is responsible for delivering inspection, licensing, and enforcement services on behalf of other departments/agencies in which the partners retain legislative and policy responsibility.

The Vital Statistics Division performs certain functions related to adoptions on behalf of the Department of Health and Community Services and also has information sharing arrangements with a number of federal and provincial departments and agencies. These arrangements are in compliance with applicable provincial legislation.

GSCs perform services for the following departments/agencies:

- Environment and Conservation
- Fisheries and Aquaculture
- Natural Resources
- Health and Community Services
- Innovation, Trade and Rural Development
- Municipal and Provincial Affairs
- Newfoundland Liquor Corporation
- Office of the Fire Commissioner

Industry

As part of its legislated mandate, Government Services Centre works closely with industry to fulfill the Department's responsibilities and ensure regulatory practices in public health and safety fields are current and consistent with other jurisdictions.

The Motor Registration Division liaises with commercial transportation firms, associations, and individual drivers to develop and maintain harmonized standards among jurisdictions.

Federal/Provincial/Territorial Governments and Regulatory Agencies

The Government Services Centre participates on national committees to standardize various codes and technical requirements (i.e., fire, electrical, and boilers) across jurisdictions.

The Vital Statistics Division is working with the Vital Statistics Council of Canada Security Subcommittee to implement minimum security level standards across all jurisdictions and the Council on Identity to develop a framework for common definitions of identity.

The Motor Registration Division's collaboration with the other Atlantic Provinces to harmonize oversized vehicle standards is continuing. Nationally, there are ongoing projects to harmonize Hours of Service, Cargo Securement regulations, and adoption of the federal *Motor Vehicle Transportation Act*.

Occupational Health and Safety Branch

Partnerships and consultations are the best means to ensure effective, relevant legislation and standards with which employers and employees may readily comply and which facilitate harmonious, productive, safe and healthy workplaces.

Departments/Agencies

The Occupational Health and Safety Branch continues to collaborate with the Workplace Health, Safety and Compensation Commission and the Labour Relations Agency to implement the recommendations of the Task Force Report on Workers' Compensation (tabled in the House of Assembly in 2001) and the Provincial Accident Prevention Strategy 2003-2006. Its work with the Department of Natural Resources and the Canadian - Newfoundland Offshore Petroleum Board (CNOBP) to develop a comprehensive health and safety regime in the offshore industry is ongoing.

Industry

The Occupational Health and Safety Branch collaborates extensively with industry stakeholders on the implementation of new and revised legislative requirements. Such stakeholders include, but are not limited to:

- Newfoundland and Labrador Construction Safety Association
- Safe Communities
- Federation of Labour
- Canadian Federation of Independent Business
- Fish, Food and Allied Workers
- St. John Ambulance
- Canadian Red Cross
- LifeSaving Society
- Divers Certification Board of Canada
- Marine Institute
- New Home Builders Associations (Eastern and Western)
- Canadian Standards Association
- Canadian Society of Safety Engineers
- Newfoundland and Labrador Safety Council
- Newfoundland and Labrador Employers' Council

Federal/Provincial/Territorial Governments and Agencies

The Occupational Health and Safety Branch regularly consults Federal, Provincial, Territorial governments and agencies in the development and implementation of new legislation and codes of practice. It also represents the interests of the province on several national committees. Examples of this category of stakeholder includes:

- Labour Canada
- Association of Workers' Compensation Boards of Canada
- Workplace Hazardous Material Information System (WHMIS)
- Health Canada

- Canadian Center for Occupational Health and Safety (CCOHS)
- Canadian Association of Administrators of Labour Legislation - Occupational and Safe and Healthy Subcommittee (CAALL-OSH)
- Canada - Nova Scotia Offshore Petroleum Board

Consumer and Commercial Affairs Branch

In its role to protect consumers and facilitate commerce in the province, the Consumer and Commercial Affairs Branch collaborates with a number of industry associations and F/P/T governments and regulatory agencies. In some instances, this involves direct membership of a departmental representative, while in other instances, ongoing consultation is involved.

Consumer and Commercial Affairs Stakeholders

Departments/Agencies

- Department of Tourism, Culture and Recreation

Industry

- Association of Newfoundland Land Surveyors
- Association of Professional Engineers and Geoscientists
- Canadian Institute of Mortgage Brokers and Lenders
- Canadian Life and Health Insurance Association
- Canadian Motor Vehicle Arbitration Plan
- Certified General Accountants Association of Newfoundland
- Certified Public Accountants Association of Newfoundland
- Embalmers and Funeral Directors Board
- Institute of Chartered Accountants of Newfoundland
- Insurance Brokers Association of Newfoundland
- Insurance Bureau of Canada
- Investment Dealers Association
- Law Society of Newfoundland
- Newfoundland and Labrador Funeral Services Association
- Newfoundland and Labrador Society of Fund Raising Executives

Industry (Continued)

- Newfoundland Association of Architects
- Newfoundland Automobile Dealers Association
- Newfoundland Real Estate Association
- Newfoundland Security Guards and Private Investigators Agencies Association Limited
- Public Accountants Licencing Board
- Real Estate Foundation Board
- Society of Management Accountants of Newfoundland

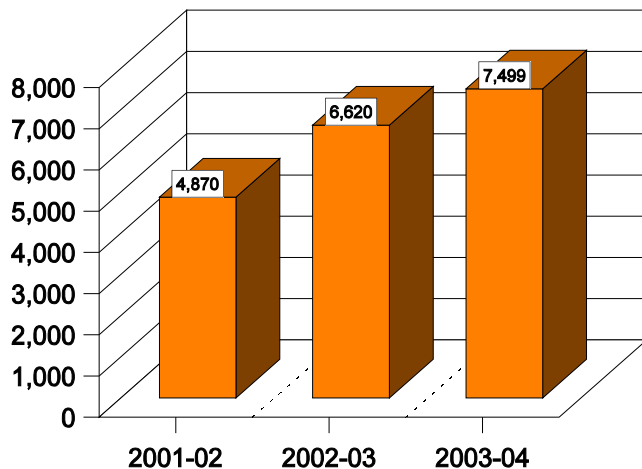
F/P/T Governments and Regulatory Agencies

- Canadian Association of Pension Supervisory Authorities
- Canadian Association of Real Estate Licencing Law Officials
- Canadian Council of Insurance Regulators
- Canadian Gaming Regulators Association
- Canadian Insurance Self Regulatory Organization
- Canadian Securities Administrators
- Consumer Measures Committee
- Joint Forum of Financial Market Regulators

STATISTICAL HIGHLIGHTS

The programs and services offered by the Department of Government Services varies widely and ranges from the issuance of small game licenses, to the registration of births and deaths, enforcement of safe and healthy occupational practices and the protection of consumer interests. The following statistical data highlights the outputs of the Department's activities for fiscal year 2003-04:

Food Premises Inspections



Government Services Branch:

The Government Services Centre (GSC) inspection of food premises has continuously increased since 2001-02. The 7,499 inspections conducted in 2003-04 represents a 13% increase over the previous reporting period and a 54% increase since 2001-02. The total numbers reported include combined inspections on food retailers, food preparation, food production and food manufacturing industries. The GSC also collected 18,568 water samples.

The Vital Statistics Division issued 37,035 birth certificates, 1,862 marriage licenses and 443 legal name change certificates. This is a significant increase since 2001-02. The number of birth certificates issued increased 53% and marriage certificates issued increased 122% over the past 3 years. The number of certificates issued for legal name changes decreased in 2003-04 compared to the previous year, however since 2001-02 there has been an overall increase of 79%.

The Motor Registration Division increased the number of transactions processed (i.e., driver registration, vehicle registration, etc.) by 1%, bringing the total number to 1.51 million. Fourteen percent of all vehicle renewals were performed via the Internet. The number of Commercial Vehicle Safety Alliance inspections conducted in 2002-03 was 1,286.

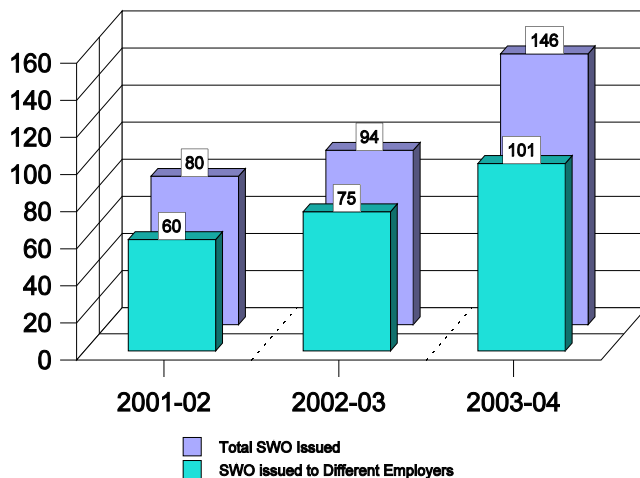
The Office of the Queen's Printer served 1,167 clients in the Book Store, which generated a revenue of approximately \$160,000. Printing and Micrographic Services completed 2,491 jobs, generating revenue of approximately \$1,000,000.

Occupational Health and Safety Branch:

The Occupational Health and Safety Inspections Division has increased the number of inspections conducted over the past three years by approximately 7%. In 2003-04, there were 2,201 inspections conducted, which is a 2.1% decrease from the previous year. Since 2001-02 the Service, Construction, and Manufacturing industries have been the focus of the majority of the inspection activity. These industries combined account for over 80% of the total inspection conducted for each time period. Of the total number of inspections conducted in 2003-04, 56.8% (or 1,251) did not require the issuance of an order (45.2% or 950, did result in an order being issued).

Inspection-related enforcement activities are also initiated through client-generated requests that are made to the Division. These reports are categorized as either a complaint, inquiry, incident, work refusal, or request for inspection. The majority of client-generated inspection assignments for 2003-04 resulted from a complaint (69.7% or 403) or a report of a workplace injury (20.0% or 117).

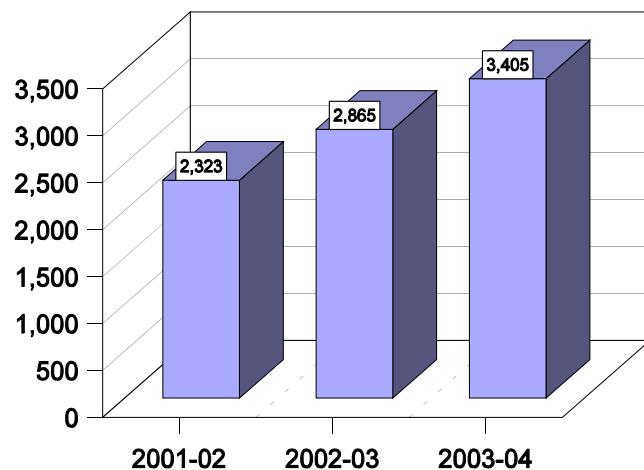
Stop Work Orders Issued



From 2001-02 to 2003-04 stop work orders (SWOs) issued have increased by 82.5% highlighting a zero tolerance approach to serious violation of occupational health and safety legislation. In 2003-04, 101 companies were issued a total of 146 SWOs. Hazardous situations where stop work orders have been issued include: fall protection, trenching, ventilation, asbestos removal, electrical, and scaffolds.

In 2003-04, 3,405 directives were issued, representing a 46.6% increase since 2001-02. Over the past three years, the number of directives issued have increased approximately 21% per year. Directives are issued for specific violations of Occupational Health and Safety legislation. Since 2001-02, areas where directives have been issued include Powered Mobile Equipment, Workplaces, First Aid and Electrical requirements.

Number of Directives Issued



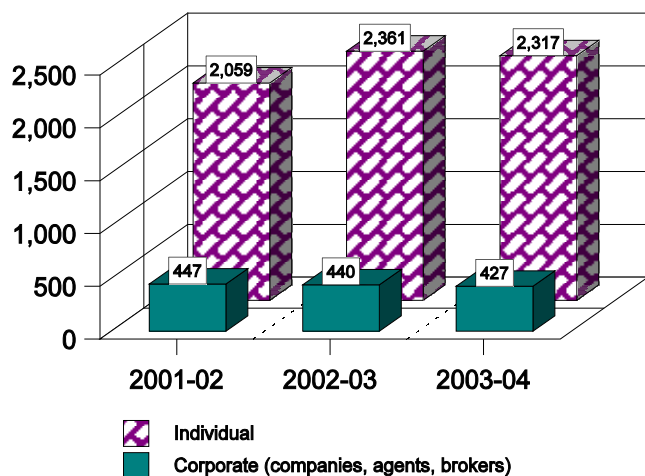
The number of charges being laid for failure to comply with occupational health and safety legislation fluctuates from year to year as the statute of limitations to initiate a prosecution under the *Occupational Health and Safety Act* or the *Regulations* must commence within two years from the date on which the offence is alleged to have been committed. The Occupational Health and Safety Branch laid charges against six entities which resulted in total fines amounting to \$17,500. In fiscal year 2002-03 four companies were charged, resulting in a total of \$33,000 in fines. In 2003-04 two charges were laid, one of which is still ongoing and the other resulted in a \$16,000 fine.

In 1999, government expanded the powers of the court on conviction for violations of the *Occupational Health and Safety Act* and *Regulations* to include creative sentencing. This form of prosecution requires a convicted party to do more than pay a fine. It is used to impose an educational obligation to better inform the workplace parties and the general public of occupational health and safety issues and procedures. Since 1999, creative sentencing has been used on seven occasions. In 2003-04, the guilty party was fined \$16,000 and in addition was ordered to fund three, flat-roof safety seminars in St. John's, Gander and Corner Brook. Additionally, the company is to deliver several two-day fall protection courses for all its site employees and all new employees hired in the next 24 months, the cost of which must not exceed \$10,500. The results of all successful prosecutions are communicated to the general public through news releases from the Minister responsible for Occupational Health and Safety.

Consumer and Commercial Affairs Branch:

The Commercial Registrations Division maintains responsibility for the Registry of Companies, Registry of Deeds and the Personal Property Registry. In 2003-04, both the number of conveyances and mortgages filed and personal property searches increased approximately by 13% compared to the previous year. For this same time period, the number of companies incorporated, registered or amalgamated decreased by 30%.

Insurance Licences Issued

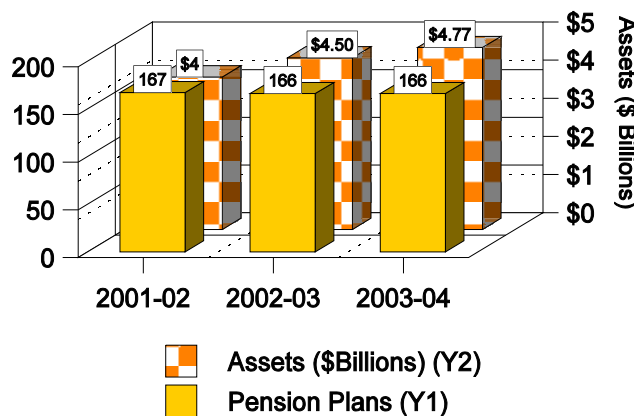


Over the past 3 years, the number of individual insurance licences issued have increased 12.5% while the issuances of corporate licences decreased 4.5%. The Department responded to 114 written complaints and answered a further 1,149 telephone enquiries regarding insurance, during the 2003-04 fiscal year; an increase of over 18% in total enquiries addressed since 2001-02.

Since 2001-02 the number of registered pension plans has remained relatively stable while the market value of these plans increased by approximately 19%. The number of registered plan members also increased by 3% since 2001-02, from 72,000 to 74,260.

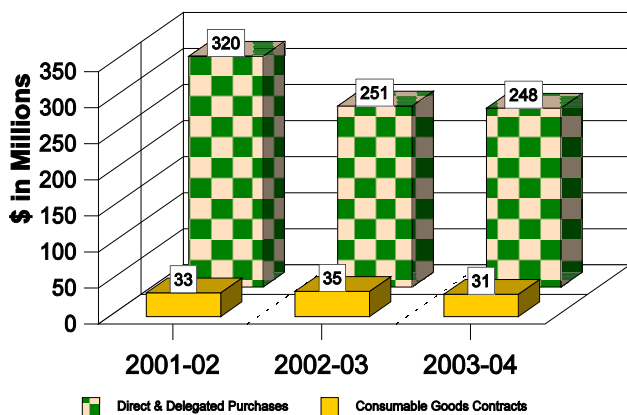
The Department's consumer protection officers addressed consumer protection issues through approximately 4,500 telephone enquiries.

Registered Pension Plans and Assets (\$ Billions)



The Department conducted 300 hearings and 90 mediations to resolve residential landlord tenancy disputes and responded to 14,500 telephone and 4,500 front-counter enquiries.

Value of Goods and Services Purchased



Government Purchasing Agency:

In 2003-04, the Government Purchasing Agency issued \$279 million for the purchase of goods and services through its Central Purchasing Division, which is a 2.4% decrease from purchases made in 2002-03.

KEY ACCOMPLISHMENTS AND CHALLENGES AHEAD

The Department of Government Services strives to provide accessible and responsive services in the areas of public health and safety, worker health and safety, consumer protection and maintenance of vital events and commercial transactions. In fulfilling these responsibilities, the following accomplishments were identified for fiscal year 2003-04:

Key Accomplishments

Government Services Branch:

The Vital Statistics Division continued its review with national bodies for the purpose of developing mechanisms to enhance national security and protection of personal information. Discussions continued with the Passport Office on means of expediting the confirmation process.

The Motor Registration Division amended a number of elements of the *Highway Traffic Act* and *Regulations* to increase measures for combating impaired driving, including an ignition interlock program. Penalties were also increased for a number of other traffic violations.

The Government Services Centre completed the restructuring of its Engineering and Inspections Services Division, which amalgamated all matters respecting boilers and pressure vessels, fire and life safety inspections, and elevating devices.

Occupational Health and Safety Branch:

The Occupational Health and Safety Division adopted the CSA Z275.4-02 "Competency Standard for Diving Operations" standard in March 2004 as legislation governing diving personnel competency criteria in the Province of Newfoundland and Labrador. This standard outlines the minimum competency criteria for divers, diving tenders and diving supervisors for all occupational diving operations (i.e., commercial diving, underwater inspections and investigations, diving at intakes and outfalls, seafood harvesting, etc.). This standard complements the CSA Z275.2-92 "Occupational Safety Code for Diving Operations" which was adopted as occupational diving legislation in September of 2002.

Following the release of the Task Force Report on Workers' Compensation (tabled in the House of Assembly in 2001), the Occupational Health and Safety Division initiated a realignment of enforcement strategies by sector. During fiscal year 2004-05 Occupational Health and Safety Officer IIIs for the sectors of Forestry, Retail/Manufacturing, Construction and Mining made considerable progress in the reduction of injuries and the provision of a safe and healthy workplace. Several initiatives were undertaken with a coordinated and cooperative approach to strategically enforce Occupational Health and Safety legislation. Such enforcement initiatives

focused on problematic high risk workplaces to ensure a healthy and safe work environment.

During fiscal year 2001-02 an extensive review of the Occupational Health and Safety Regulations was undertaken. As of March 31, 2004, the proposed amendments had been drafted by legislative counsel, following extensive consultations with the Occupational Health and Safety Advisory Council, and were being prepared for review by Occupational Health and Safety Officers.

Consumer and Commercial Affairs:

In fiscal year 2003-04 the Department obtained approval for a new electronic document management system for the Registry of Deeds and the Registry of Companies. Xwave was awarded a fixed price contract to design and construct this system, called the Companies and Deeds On-line (CADO). The cost of the new system was \$4.6 million, which will be recovered over the next three years from the industry through fees. The new system will offer search capabilities in both registries. Companies will also be able to register and file annual returns on the Internet. The first phase of the implementation of the new system is expected by May 3, 2004 and the second phase is expected by January, 2005.

Reforms to automobile insurance were introduced by government on March 17, 2004. These reforms have the potential of achieving average overall savings of 15%, dependent upon the type of coverage purchased or place of residence in the province. The reforms will also prohibit industry practices that are unfair to consumers and include a plan to gain further consumer input through a public hearing process, and to have an updated study into the cost of recent auto insurance claims completed.

Government Purchasing Agency:

In fiscal year 2003-04 the Electronic Tendering Working Group established a framework for Tender Information Exchange. This framework will provide all suppliers within the province with all tender opportunities, within established thresholds, from all provincial, federal and territorial governments. This information will be made available through the Government Purchasing Agency website.

A four member committee was also established among the Atlantic Provinces to draft a common set of Terms and Conditions to be applied to all Atlantic tenders for goods and services. This initiative will simplify the bidding process for suppliers.

Challenges Ahead

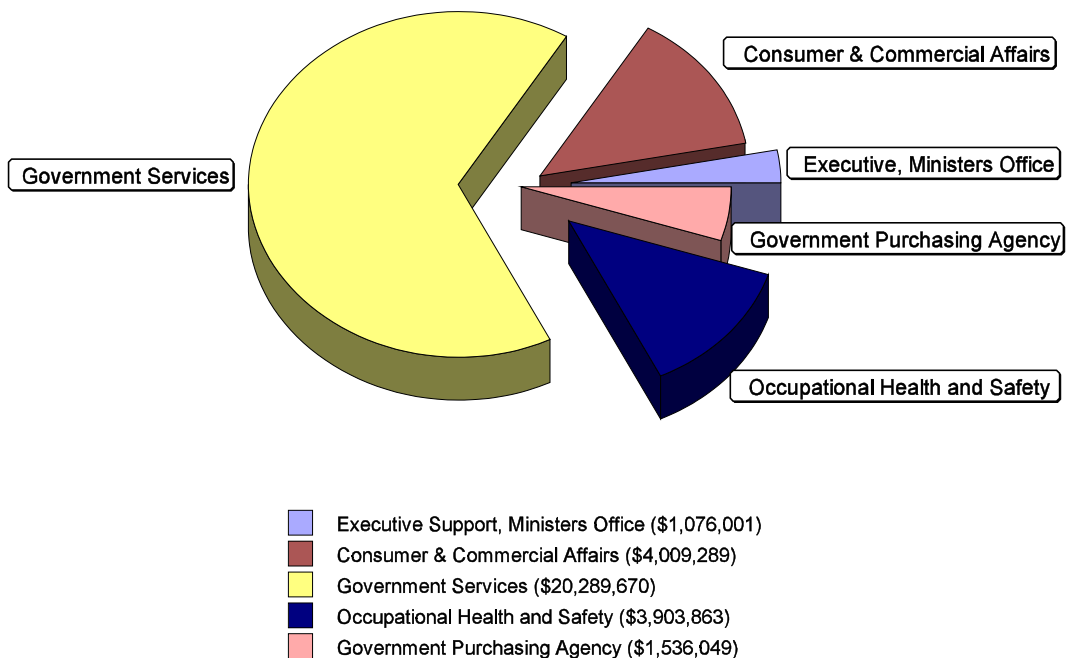
The following challenges have been identified for fiscal year 2004-05:

- The Financial Services Regulation Division will be challenged as the remainder of the automobile insurance reform package is implemented. The Public Utilities Board has been assigned responsibility for conducting hearings into auto, homeowner, commercial and marine insurance. As well, public hearings will be conducted into mandatory accident benefits, possible mechanisms to further reduce rates, preventing insurance companies from rating based on age, gender and marital status, and other matters of concern to consumers. Additional reforms may be implemented based upon the outcomes of these public hearings.
- Due to the implementation of the final phase of the new diving standards for occupational divers, it is anticipated that the Department will continue to receive objections from the Sea Urchin and Sea Cucumber Harvesting sectors of the fishing industry. The Department will be challenged to collaborate with this industry to ensure healthy and safe workplace practices are upheld, while maintaining the financial viability of these sectors, due to the cost for employers to implement these diving standards.
- Upon the amalgamation of the Occupational Health and Safety Branch with the Department of Government Services, it obtained a portion of the policy and planning division of the former Department of Labour. During fiscal year 2004-05, the Occupational Health and Safety Division will have to be realigned to include a new policy and planning unit and reporting relationships and responsibilities will have to be adjusted accordingly.
- Budgetary decisions made for fiscal year 2004-05 saw the reorganization of the Consumer and Commercial Affairs Branch from five divisions to three. The challenges will therefore be to integrate operations, reassign responsibilities where feasible, and train those staff who have acquired new responsibilities and compensate them accordingly.

BUDGET

Prior to the restructuring of government in February, 2004, the Department's approved estimated gross expenditure was \$28,794,700. The Department's reorganization included the addition of the Occupational Health and Safety Branch, the Office of the Queen's Printer, and the Government Purchasing Agency and the transference of the Crown Lands Branch to the newly restructured Department of Environment and Conservation. It is therefore anticipated that the amended estimated gross expenditure will be \$30,814,872. The following pie chart graphically depicts how this estimated gross expenditure is utilized by the Department:

Department of Government Services Expenditures 2003-04



STATEMENT OF EXPENDITURE AND RELATED REVENUES FOR FISCAL YEAR ENDING MARCH 31, 2004

(The numbers presented below are unaudited)

		Actual	Estimates	
			Amended	Original
		\$	\$	\$
1.1.01.	Minister's Office	244,291	252,900	307,900
1.2.01.	Executive Support	831,710	835,700	808,000
CONSUMER & COMMERCIAL AFFAIRS				
2.1.01.	Trade Practices	1,343,950	1,353,900	1,421,300
	Less Revenue	(10,800)	(6,500)	(6,500)
2.1.03.	Financial Services Regulation	1,185,700	1,304,200	1,093,400
2.1.04.	Commercial Registrations	1,477,639	1,485,900	1,533,200
TOTAL:	CONSUMER & COMMERCIAL AFFAIRS	3,996,489	4,137,500	4,041,400
GOVERNMENT SERVICES				
3.1.01.	Motor Vehicle Registration	8,808,307	8,895,400	8,368,200
	Less Revenue	(355,648)	(241,000)	(241,000)
3.2.01.	Permitting and Inspection Services	9,532,742	9,590,800	9,798,200
	Less Revenue	(2,059,824)	(1,967,000)	(1,967,000)
3.3.01.	Vital Statistics Registry	605,786	609,700	589,100
	Less Revenue	(18,608)	(9,200)	(9,200)
3.3.02.	Government Purchasing Agency	1,536,049	1,547,000	1,529,900
	Less Revenue	(115,003)	(258,000)	(258,000)
3.3.03.	Queen's Printer	139,052	183,100	233,100
	Less Revenue	(172,339)	(328,000)	(325,000)
3.3.04.	Printing and Micrographic Services	1,203,783	1,327,800	1,347,800
	Less Revenue	(983,171)	(1,300,000)	(1,300,000)
TOTAL:	GOVERNMENT SERVICES	18,121,126	18,050,600	17,766,100

		Estimates		
		Actual	Amended	Original
		\$	\$	\$
OCCUPATIONAL HEALTH & SAFETY				
4.1.01.	Administration & Planning	389,800	389,800	389,800
	Less Revenue	(389,800)	(389,800)	(389,800)
4.1.02.	Occupational Health & Safety Inspections	3,427,253	4,071,900	4,221,900
	Less Revenue	(3,140,103)	(4,221,900)	(4,221,900)
4.2.01.	Assistance to St. Lawrence Miners' Dependents	59,150	66,000	66,000
4.2.02.	Assistance to Outside Agencies	27,660	33,000	33,000
	Less Revenue	(84,660)	(33,000)	(33,000)
TOTAL:	OCCUPATIONAL HEALTH & SAFETY	289,300	(84,000)	66,000
TOTAL:	DEPARTMENT OF GOVERNMENT SERVICES	23,482,916	23,192,700	22,989,400

Summary of Cash Payments and Receipts

	Payments	Receipts	Net
	\$	\$	\$
Current Account	30,812,872	7,329,956	23,482,916
Capital Account	-	-	-
Totals	30,812,872	7,329,956	23,482,916

The above numbers are unaudited amounts.

Note: The above numbers reflect the new departmental structure as of March 31, 2004 and therefore do not agree with the Public Accounts for Government Services and Lands as of March 31, 2004, as released on November 30, 2004.

The amount shown for Administration and Planning, less Revenue (4.1.01) for the Occupational Health and Safety Branch does not agree with the Public Accounts as released on November 30, 2004 because only a portion of the total Administration and Planning, less Revenue, in the Department of Labour was transferred to the Department of Government Services upon its reorganization.

APPENDIX A: OTHER INFORMATION SOURCES

Web Sites

1. Department of Government Services: <http://www.gov.nl.ca/gsl>
2. Government of Newfoundland and Labrador: <http://www.gov.nl.ca>
3. Statutes and Regulations: <http://www.gov.nl.ca/hoa/sr>
4. Government of Newfoundland and Labrador News Releases: <http://www.gov.nl.ca/releases>

Annual Reports of Other Public Entities

1. Consumer Protection Fund for Prepaid Funeral Services Annual Report 2002-2003
2. Credit Union Deposit Guarantee Corporation Annual Report 2003-04
3. Petroleum Products Pricing Commission Annual Report 2002-03
4. Public Accountants Licensing Board Annual Report 2002-2003

APPENDIX B: ANNUAL ACTIVITY LETTERS



GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR

Department of Government Services
Government Services Branch

2004 09 30

TO: Minister of Government Services

Accountability Framework: Boiler/Pressure Vessel Advisory Board

The Boiler/Pressure Vessel Advisory Board, under *Section 29* of the *Public Safety Act*, has not been active for a few years and has no current members. It did not meet in 2003-04.

William MacKenzie
Assistant Deputy Minister

c. Ms. Gail Boland
Ms. Brenda Kelleher-Flight



GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR

Department of Government Services
Government Services Branch

2004 09 30

TO: Minister of Government Services

Accountability Framework: Boiler/Pressure Vessel Appeal Tribunal

The Boiler/Pressure Vessel Appeal Board, under *Section 29* of the *Public Safety Act*, is constituted when necessary to consider appeals from a decision of the Department or the Chief Inspector. There were no such appeals in 2003-04.

William MacKenzie
Assistant Deputy Minister

c Ms. Gail Boland
Ms. Brenda Kelleher-Flight

2003-04 Accountability Report Buildings Accessibility Advisory Board

The Buildings Accessibility Advisory Board (Board) was reactivated in March 2000 by then Minister of Government Services and Lands to conduct a review of the existing *Buildings Accessibility Act* and its regulations and make recommendations for any revisions and/or changes that may be necessary. However, a very active and dedicated board has been operating on a regular basis since September 2001. The attendance of departmental technical staff at meetings has provided the board members with greater insight into the day-to-day challenges that arise in the implementation of the Act and regulations.

The report will include comparison of our existing legislation with that of other regions of Canada. Where possible, we researched the origin and rationale for the inclusion of every section contained within our existing legislation. Another key element in the review process was the solicitation of comments from various interest groups who may be impacted by the legislation.

The Report was almost completed by the conclusion of the 2003-04 fiscal year, and should be completed in the Spring of 2004. The report will also include recommendations for revision to definitions and language along with recommended legislative changes that we feel will more accurately reflect the changing needs of persons with disabilities in the 21st century.

Buildings Accessibility Advisory Board

Chair

W. Robert Osmond, P. Eng.

Members

Ms. Marie White

Mr. Rick Turner

Ms. Ann Connor Sheppard

Mr. Leon Mills

Ms. Verna Lush

Mr. Guy Perry

Prepared by: Guy Perry, Regional Director, 709-466-4060

Date: 2004 10 14



GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR

Department of Government Services
Government Services Branch

2004 09 30

TO: Minister of Government Services

Accountability Framework: Buildings Accessibility Appeal Tribunal

The Buildings Accessibility Appeal Tribunal is established under *Section 20* of the *Buildings Accessibility Act*. The Tribunal's sole purpose is to hear appeals of decisions respecting the application of the *Buildings Accessibility Act and Regulations*.

As no appeals were filed in 2003-04, the Tribunal did not meet in that year.

William MacKenzie
Assistant Deputy Minister

cc Ms. Gail Boland
Ms. Brenda Kelleher-Flight

2003-04 ACCOUNTABILITY REPORT
DRIVER'S LICENCE SUSPENSION REVIEW BOARD

Background

The Driver's Licence Suspension Review Board (DLSRB) has been in existence since the 1970's. Its mandate is outlined in Section 91 of the *Highway Traffic Act*. Essentially, the DLSRB is mandated to hear appeals of suspensions and cancellations affecting driver's licences, vehicle registrations, etc. made by the Registrar of Motor Vehicles. Such actions are almost always as a result of medical conditions. In addition, the DLSRB can hear applications where an insurance policy has been cancelled or terminated by an insurer or the application for a policy has been refused by an insurer.

The DLSRB has the authority to revoke a suspension or cancellation in whole or in part; direct the permit or licence to be issued; or direct the insurer to issue a policy to the applicant. The DLSRB is not allowed to exercise this authority in a case of suspension or cancellation unless it is satisfied that undue hardship will result if the suspension or cancellation remains in effect and the remission or cancellation is not contrary to the public interest.

The decisions of the DLSRB can be appealed to the Trial Division of the Supreme Court of Newfoundland within 30 days of the decision.

In 2003-04, the Board members included Judge David Riche (Chairperson), Ms. Beverley Marks (Vice-Chair), Mr. Melvin Roberts, Dr. Peter Roberts and Ms. Florence Spurrell.

Activities

The Board heard nine appeals in 2003-04. It dismissed six applications and varied or restored three other applications. The Board meets when there are sufficient applications to warrant a hearing.

Financial Statements

The costs of the DLSRB are covered by MRD's budget. In 2003-04, remuneration to Board members was \$2,147. There were no travel expenses.

Prepared by David Norman, Registrar of Motor Vehicles
Prepared on September 29, 2004

2003-04 ACCOUNTABILITY REPORT DRIVER'S LICENSE MEDICAL ADVISORY BOARD

General Overview

In 1977 Newfoundland and Labrador introduced a system of medical requirements for drivers of both larger specialized vehicles (commercial) and private vehicles whereby drivers were required to file medical examination reports on a periodic basis. In 1985 the program was modified to require additional medical filing by elderly drivers ages 70, 72, 74, 76, 78, 80 and annually thereafter. In the late 1990's this schedule was again updated to reflect National recall standards. This recall is still in place and elderly drivers are currently required to file medical reports at ages 75 and 80 and annually thereafter.

To date, governing medical standards are based on the medical standards or guidelines of the Canadian Council of Motor Transport Administrators (CCMTA). Of significance is the move to a more "individualized review". As well, recent updates, 1999 and 2004, of actual medical standards now permit commercial licencing of drivers who are insulin dependent as well as drivers who are taking treatment for seizure disorders. All medicals are screened by the staff of Motor Registration Division. Appropriate reports are then reviewed by the Medicals Review Officer and, when necessary, the Medical Advisor to the Registrar. Recommendations are then made to the Registrar of Motor Vehicles.

Due to the complexity of some of these required medicals, the Driver's License Medical Advisory Board was established, as per MC 858-87. The purpose of this Board is to review drivers medical files and to make recommendations to the Registrar of Motor Vehicles as to driver suitability or otherwise to operate specified class/es of motor vehicles. This review is generally done by an individual specialist but may be done by the entire committee if deemed necessary. The Driver's License Medical Advisory Board is purely advisory. The decision to act on recommendations rests with the Registrar of Motor Vehicles.

The Driver's License Medical Advisory Board consists of the following specialities, with current appointees:

- < Dr. Derek Dunphy, Ophthalmologist
- < Dr. Christopher Simon Kovacs, Endocrinologist
- < Dr. Roy Lilly, Medical Advisor to the Registrar, who serves as Chair
- < Dr. Norman Lush, Neurologist
- < Psychiatrist (Vacant)
- < Dr. Eric Stone, Cardiologist
- < Secretary, who is appointed by the Chair

Highlights/Accomplishments

The use of these Specialists enables the Medical Advisor to have the best medical advice available to assist in review of complex medical files and to subsequently make the best possible recommendation to the Registrar in the interest of highway safety.

Activities

The Driver's License Medical Advisory Board was consulted on 4 occasions during 2003 - 04. Not all Specialists were consulted.

Opportunities and Challenges Ahead

The ongoing challenge continues to be one of maintaining a balance between the needs of the individual driver while sustaining a reasonable level of road safety for the general motoring public. Decisions regarding issues of driver independence and freedom in the context of medical conditions which may adversely impact on their safety and ability are always difficult. There is a greater need for evidence-based research regarding medical ailments, driving abilities and risks to objectively determine an individual's fitness to drive. This research evidence has been lacking in the past, however, programs such as CANDRIVE have a mandate and funding to explore and provide direction on these important matters.

Financial Statements

The Chair of the Driver's License Medical Advisory Board, as well as the medical specialist representatives of the Board, are remunerated at a rate of \$150 per hour of service as approved by Treasury Board.

Prepared by: M. Jeanie Coombs RN, Medicals Review Officer
David Norman, Registrar of Motor Vehicles

Date: October 4, 2004

Embalmers and Funeral Directors Board Activity Report for Fiscal Year Ending December 31, 2003

Public Body Overview:

The Embalmers and Funeral Directors Board of Newfoundland and Labrador is a Government appointed, self-regulating, Category Three Board. It is established pursuant to section 3 of the *Embalmers and Funeral Directors Act*. The Board consists of seven members, appointed by the Minister and consists of the following:

- < Two Embalmers
- < Two Funeral Directors
- < Two Public Lay Representatives, neither of whom shall be a funeral director or embalmer
- < One Government Official

Members are appointed for a three-year term and can be reappointed, but cannot serve for a continuous period exceeding nine years. Each newly appointed Board must elect from its members:

- < Chairperson
- < Vice-Chairperson
- < Registrar
- < Deputy Registrar

The roles and responsibilities of the Board include:

- < Establishing licensing requirements for Funeral Directors and Embalmers,
- < Reviewing licensing applications to determine if requirements are satisfied for a license
- < Disciplinary action
- < Continuing education of licensees

The following people served on the Embalmers and Funeral Directors Board for part of 2003:

Member	Elected Position
Paul Hoskins, Embalmer	Chairperson
Francis Coombs, Funeral Director	Vice-chairperson
Bert Twyne, Public Representative	Registrar
Mike Vickers, Public Representative	Non applicable
Keith Fillatre, Embalmer	Non applicable
Bruce Warren, Funeral Director	Deputy Registrar
Gerard Burke, Government Representative	Non applicable

For the Board Meeting of October 7, 2003, there was a new board in place. The following people are now serving:

Member	Elected Position
Terry Green, Embalmer	Chairperson
Rick Legge, Funeral Director	Vice-chairperson
Bert Twyne, Public Representative	Registrar
Gordon Shears, Public Representative	Non applicable
Kenneth Slade, Embalmer	Non applicable
Lorraine Blundon, Funeral Director	Deputy Registrar
Gerard Burke, Government Representative	Non applicable

The number of licensees as of December 31, 2003 were as follows:

< Embalmers	113
< Funeral Directors	89
< Funeral Homes	92

Highlights and Accomplishments:

This year saw the start-up of our web-site (www.nfuneralboard.ca). It includes up-dated lists of registered directors, embalmers, funeral homes and board members, plus application forms and other information to assist licensees.

We continue to have a positive relationship with Western School of Funeral Services and their long-distance education program for embalmers.

Two representatives for the Board attended the Funeral Services of Canada Conference and the National Regulators meeting in Charlottetown, PEI. This meeting was chaired by Bert Twyne. Labour mobility and cooperation between National Boards still continue to be the main topics.

Activities:

In fiscal year 2003, the Board met three times in St. John's.

February 27, 2003:

- < Review of Financial Statements for 2002.
- < Approval for the development of a Web-site for the Board

October 7, 2003:

- < Welcome to new Board Members and election of officers
- < Discussion relative to Western School of Funeral Services long-distance education program. It was agreed to continue our relationship .
- < Set-up of Legislation Review Committee with three members from the Board and two members from the Funeral Association.
- < Presentation by Gail Boland on Board Accountability and Structure.

December 9, 2003:


- < Funeral Services Association representative Milton Peach brought a presentation regarding an outline of courses and there was discussion regarding cost and content.
- < Discussion on Pre-Plan Funeral Funds.
- < Presentation by Gail Boland regarding Self-Regulatory and Proposed Amendments to the Act: such as: Compulsory Elections, Staggering Time-frames for Board Members, Exempt Permits, Malpractice Insurance and Disciplinary Procedures. There was also discussion of Year-end Government Reports.
- < Discussion and Presentation by Joe Coffey of Western School of Funeral Services and Continuing Education.
- < Discussion relative to the shortage of Licensed Funeral Embalmers in the province.

Opportunities and Challenges Ahead

- < Changes to the current Act and regulations continue to be a major challenge.
- < Two members of the Board will attend the Regulators meeting in Ottawa again this year.


Financial Statements: See attached.

Grant Thornton LLP
Chartered Accountants
Management Consultants
Canadian Member Firm of
Grant Thornton International

Grant Thornton 

**Embalmers and Funeral
Directors Board of
Newfoundland and Labrador
Financial Statements
December 31, 2003**

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Grant Thornton 

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Auditors' Report

To the Directors of
Embalmers and Funeral Directors Board
of Newfoundland and Labrador

We have audited the balance sheet of the Embalmers and Funeral Directors Board of Newfoundland and Labrador as at December 31, 2003, and the statements of revenue, expenditure and surplus and cash flows for the year then ended. These financial statements are the responsibility of the Board's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these financial statements present fairly, in all material respects, the financial position of the Board as at December 31, 2003 and the results of its operations and cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Grand Falls-Windsor, Newfoundland and Labrador
February 25, 2004

Grant Thornton LLP
Chartered Accountants

P.O. Box 83
9 High Street
Grand Falls-Windsor
Newfoundland
A2A 2J3
Tel: (709) 489-6622
Fax: (709) 489-6625

**Embalmers and Funeral Directors Board of
Newfoundland and Labrador
Statements of Revenue, Expenditure and Surplus**

Year Ended December 31	2003	2002
Revenue		
Fees	\$ 39,966	\$ 40,955
Interest	1,078	936
Other revenue	110	5,700
Tuition fees	<u>38,700</u>	<u>38,700</u>
	<u>79,854</u>	<u>86,291</u>
Expenditures		
Bank charges	37	57
Board meetings	13,342	17,604
Education	50	2,810
Education – tuition	38,700	38,700
Honorariums	2,400	2,400
Inspections	857	3,166
Insurance	1,848	1,271
Office	5,004	3,819
Professional fees	6,981	3,319
Telephone	<u>1,042</u>	<u>458</u>
	<u>70,261</u>	<u>73,604</u>
Excess of revenue over expenditures	\$ <u>9,593</u>	\$ <u>12,687</u>
Surplus, beginning of year	\$ 128,781	\$ 116,094
Excess of revenue over expenditures	<u>9,593</u>	<u>12,687</u>
Surplus, end of year	\$ <u>138,374</u>	\$ <u>128,781</u>

See accompanying note to the financial statements.

**Embalmers and Funeral Directors Board of
Newfoundland and Labrador
Balance Sheet**

December 31	2003	2002
Assets		
Current		
Cash and cash equivalents	\$ 154,099	\$ 160,874
Accounts receivable	27,800	48,527
Prepays	<u>1,213</u>	<u>1,358</u>
	\$ 183,112	\$ 210,759
Liabilities		
Current		
Accrued liabilities	\$ 3,538	\$ 40,778
Deferred revenue	<u>41,200</u>	<u>41,200</u>
	44,738	81,978
Members' Surplus		
Surplus	<u>138,374</u>	<u>128,781</u>
	\$ 183,112	\$ 210,759

On behalf of the Board

_____ Director _____ Director

See accompanying note to the financial statements.

**Embalmers and Funeral Directors Board of
Newfoundland and Labrador
Statement of Cash Flows**

December 31	2003	2002
Increase (decrease) in cash and cash equivalents		
Operating		
Excess of revenue over expenditures	\$ 9,593	\$ 12,687
Change in non-cash operating working capital		
Receivables	20,727	(20,427)
Prepays	145	(432)
Payables	<u>(37,240)</u>	<u>31,433</u>
Net (decrease) increase in cash and cash equivalents	(6,775)	23,261
Cash and cash equivalents		
Beginning of year	<u>160,874</u>	<u>137,613</u>
End of year	<u>\$ 154,099</u>	<u>\$ 160,874</u>

Cash and cash equivalents consists of:	2003	2002
Cash	\$ 95,209	\$ 103,062
Term deposits	<u>58,890</u>	<u>57,812</u>
	<u>\$ 154,099</u>	<u>\$ 160,874</u>

See accompanying note to the financial statements.

Embalmers and Funeral Directors Board of Newfoundland and Labrador

Note to Financial Statements

December 31, 2003

1. Summary of significant accounting policies

The financial statements have been prepared within the framework of Canadian generally accepted accounting principles, the more significant of which are as follows:

Use of estimates

In preparing the Board's financial statements in conformity with Canadian generally accepted accounting principles, management is required to make estimates and assumptions that affect the reported amounts of assets and liabilities, the disclosures of contingent assets and liabilities at the date of the financial statements, and reported amounts of revenue and expenses during the year. Actual results could differ from these estimates.

Cash and cash equivalents

Cash and cash equivalents include cash on hand, balances with banks and short term deposits with original maturities of three months or less. Bank borrowings are considered to be financing activities.

2. Financial instruments

Fair values of financial instruments are disclosed in the notes to the financial statements when they differ from the carrying amounts. Where amounts receivable and payable are subject to normal credit terms, their carrying amount is used as an approximation of their fair values.



GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR

Department of Government Services
Consumer and Commercial Affairs
Financial Services Regulation Division

May 25, 2004

Honourable Dianne Whalen
Minister of Government Services
Second Floor, West Block, Confederation Building
St. John's, NL, A1B 4J6

Dear Minister Whalen:

Re: 2003-04 Activity Letter
Insurance Adjusters, Agents and Brokers Appeal Board

In compliance with the Accountability Framework for Boards and Agencies I have the pleasure of presenting to you the 2003-04 Activity Report for the Insurance Adjusters, Agents and Brokers Appeal Board.

Yours truly,

Douglas J. Connolly, C.G.A.
Director of Financial Services Regulation

c. Ms. Brenda Kelleher-Flight

Insurance Adjusters, Agents and Brokers Appeal Board 2003-04 Activity Report

Overview

This board is established pursuant to Section 18 of the *Insurance Adjusters, Agents and Brokers Act*, Chapter I-9, RSN 1990. It consists of three members appointed by the Lieutenant-Governor in Council. Current appointments are for a three year term. In carrying out their duties the members have the powers of a commissioner appointed under the *Public Inquiries Act*.

Individuals, partnerships and corporations wishing to conduct insurance activities on behalf of an insurance company must be licensed to do so under the *Insurance Adjusters, Agents and Brokers Act*. Where the Superintendent of Insurance refuses to issue a licence to a person, that person may appeal the Superintendent's decision to this Board. Also, where the Superintendent of Insurance, after an investigation into the practices of a licensee, suspends or cancels a licence, or places conditions on a licence, the licensee may appeal the Superintendent's decision to this Board.

The role of the Board is to investigate a matter referred to it, hear the person who has appealed and report to the Superintendent of Insurance whether in its opinion the licence should be issued or refused, whether the licence should be suspended or cancelled or conditions placed on it.

The decision of the Board is binding on the Superintendent of Insurance. A decision of the Board may be appealed to the Trial Division.

Activities

During the 2003-04 fiscal year, one decision by the Superintendent of Insurance to refuse to grant a licence was appealed to the Board. This appeal was made in February 2004 and has not been heard to date. A delay in the timing of the Board's hearing was requested by the individual whose application was refused.

An appeal of the suspension of a licence by the Superintendent of Insurance, that had not been heard prior to end of the 2002-2003 fiscal year, was held in May 2004. The decision of the Board is expected shortly on this appeal.

Challenges

The major challenge for this Board is to ensure its role is carried out efficiently and effectively. The number of appeals in any fiscal year is uncertain thus no pre set hearing dates can be established.

Financial Statements

No costs were incurred during the 2003-04 fiscal year for the operations of this Board.

Occupational Health and Safety Advisory Council

Activity Report 2003 – 04

Mandate

The Advisory Council on Occupational Health and Safety is established under Section 12 of the *Occupational Health and Safety Act*. The duties and responsibilities of the Council include providing advice to the Minister on:

- < the administration of the Act and regulations;
- < occupational health and safety; and
- < any matter relating to occupational health and safety that the Minister has referred to the Council for its advice.

Council Membership

The Advisory Council consists of 11 members including, Chairperson, Vice-Chairperson, two ex-officio positions, secretary and the remaining membership consisting of equal representation from labour and management. Members are appointed for terms not exceeding three years and are eligible for reappointment for not more than two consecutive terms.

Member	Representation	Location	Appointment Date	Expiry Date
Mr. Denis Hogan	Chairperson	St. John's	July 11, 2003	July 10, 2006
Mr. Jesse Wilkins	Vice-Chairperson	St. John's	January 26, 2004	January 25, 2007
Mr. Jim Skinner	Labour Representative	Wabush	September 28, 2001	September 27, 2004
Mr. George Sharpe	Labour Representative	Upper Island Cover	September 1, 2002	August 31, 2005
Ms. Cynthia Burke	Labour Representative	St. John's	February 2, 2003	February 1, 2006
Mr. Bob Pike	Mgmt. Representative	St. John's	July 11, 2003	July 10, 2003
Mr. Wayne Pardy	Mgmt. Representative	St. John's	September 1, 2002	August 31, 2005
Mr. Len Knox	Mgmt. Representative	Mount Pearl	September 28, 2001	September 27, 2004
Ms. Ann Marie Hann - Ex-Officio - CEO Workplace Health, Safety and Compensation Commission, St. John's				
Ms. Kim Dunphy - Ex-Officio - ADM Occupational Health and Safety Branch, Department of Government Services, St. John's				
Mr. Doug Carter - Secretary - Occupational Health and Safety Inspections Division, Department of Government Services, St. John's				

Note: For those members whose terms have expired, the Department will be initiating the nomination process prior to the end of this fiscal year.

Meetings

Council is required to meet at least once yearly at the call of the Minister or the Chairperson. During 2003-04, Council met on two occasions, both meetings taking place in St. John's.

Highlights

The Advisory Council has gone through organizational change since the last reporting period. The appointment of a new Chairperson has revitalized Council and members are encouraged with the pro-active direction and new ideas brought forth. The Advisory Council was very busy during the reporting period and had a productive year addressing health and safety issues. Council undertook a variety of topics including: amendments to OHS Legislation; working with the Workplace Health Safety and Compensation Commission (WHSCC) and the Department of Education to increase awareness of health and safety in the school system; the involvement of Council in promoting and planning the North American Occupational Safety and Health (NAOSH) Week; and the re-establishment of the Occupational Health and Safety Awards Program to be released in 2005.

In April 2003, Council made a submission to the Department on the proposed framework and guidelines to help reduce soft tissue injuries (STI) in the Province. It was unanimous that ergonomic injuries have to be addressed as they attribute to over half of the total lost-time claims accepted for payment by the WHSCC. Council agreed that there was a greater need for education and awareness programs to help alleviate claims associated with soft tissue injuries. With regards to a regulatory approach, members urged the Department to examine all viable options before making a final decision.

In May 2003, Council was pleased to have had the opportunity to present its views on the Draft Accident Prevention Strategy proposed by the WHSCC. The strategy provided for the facilitation and shaping of a safety culture that believes all injuries are viewed as preventable. An integrated approach to responding to accident prevention issues and focusing on priority areas for action was outlined. Council concurred with the goals set by the Commission and agrees they are headed in the right direction to achieve an affordable and sustainable system for the future.

Financial Statements

The members of the Occupational Health and Safety Advisory Council are paid remuneration that is prescribed by the Lieutenant-Governor-in-Council pursuant to Treasury Board guidelines. Their reasonable traveling and living expenses incurred by them in the course of their duties as members of the council are also reimbursed through the operating budget of the Occupational Health and Safety Inspections Division. Meetings of the Occupational Health and Safety Advisory Council cost \$2,145.00 in 2003-04.

Future Considerations

New issues are continuously arising in the field of occupational health and safety. In the coming year, the Advisory Council will be launching its new Health and Safety Awards Program and is anticipating a positive response from stakeholders. Council continually looks forward to new challenges and is committed to improving health and safety in the Province.

Radiation Health and Safety Advisory Committee

Activity Report 2003 – 04

Mandate

The Radiation Health and Safety Advisory Committee is established under Section 11 of the *Radiation Health and Safety Act*. The duties and responsibilities of the Committee include:

- < providing advice to the Minister on the administration of the Act and regulations;
- < promoting educational programs to those who may be exposed to radiation;
- < advise the Minister with respect to non-ionizing radiation emitting devices;
- < reviewing professional qualifications of persons applying for appointment as inspectors;
- < any matter relating to radiation health and safety that the Minister has referred to the Committee for its advice.

Committee Membership

The Radiation Health and Safety Advisory Committee consists of the following representatives from the medical and radiological field, appointed by the Lieutenant Governor in Council for a two year term:

- < Diagnostic Radiologist
- < Therapeutic Radiologist
- < Medical Practitioner Specialist in Pathology
- < Physicist
- < Dentist
- < Medical Radiation Technologist
- < Veterinarian
- < Chiropractor
- < Medical Inspector designated by the Minister

Member	Representation	Location	Appointment Date	Expiry Date
Dr. Nancy Wadden (Chair)	Diagnositc Radiologist	St. John's	August 7, 2002	August 6, 2004
Mr. Bruce Whalen	Medical Radiological Technologist	St. John's	August 7, 2002	August 6, 2004
Dr. Ford Elms	Medical Practitioner	St. John's	August 7, 2002	August 6, 2004
Dr. Bruce Bowden	Dental	St. John's	August 7, 2002	August 6, 2004
Dr. Peter Hollett	Therapeutic Radiologist	St. John's	August 7, 2002	August 6, 2004
Dr. Abdel Salam Mesbah	Radiation Physicist	St. John's	August 7, 2002	August 6, 2004
Dr. Daryl Whelan	Veterinarian	Manuels	August 7, 2002	August 6, 2004
Dr. Keith Cassell	Chiropractor	Chamberlains	August 7, 2002	August 6, 2004
Ms. Loretta Chard	Department of Health and Community Services	St. John's	August 7, 2002	August 6, 2004

Note: *It is the intent of the Department to amend the legislation to stagger appointment dates for members. For those members whose terms have expired, the Department will be initiating the nomination process prior to the end of this fiscal year.*

Meetings

There are no activities to report as the Radiation Health and Safety Advisory Committee did not meet during this reporting period.

Financial Statements

The members of the Radiation Health and Safety Advisory Committee are paid remuneration that the Lieutenant-Governor-in-Council may prescribe pursuant to Treasury Board guidelines. Their reasonable traveling and living expenses incurred by them in the course of their duties as members of the committee are also reimbursed through the operating budget of the Occupational Health and Safety Inspections Division. The Radiation Health and Safety Advisory Committee did not meet in 2003-04 and therefore did not incur expenses.

Future Considerations

The Committee looks forward to the opportunity to advise the Minister on matters pertaining to radiation health and safety in the workplace.



GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR

Department of Government Services
Consumer and Commercial Affairs
Financial Services Regulation Division

November 4, 2004

Honourable Dianne Whalen
Minister of Government Services
Second Floor, West Block, Confederation Building
St. John's, NL
A1B 4J6

Dear Minister Whalen:

**Re: Real Estate Advisory Board
2003-04 Annual Activity Letter**

In accordance with the Accountability Framework for boards and agencies, I am pleased to provide you with the 2003-04 annual Activity Letter for the Real Estate Advisory Board (the Board).

Overview

Section 12 of the *Real Estate Trading Act* says the Superintendent of Real Estate may appoint a Board to assist the Superintendent in the determination of whether

1. a licence applied for should be granted or refused;
2. an existing licence should be suspended or cancelled; or
3. a suspended or cancelled licence should be reinstated.

The Superintendent must appoint a Board where the real estate agent or salesperson concerned requests one.

A Board shall consist of 3 persons with at least one of them being the holder of a valid real estate agent's licence. There are no permanent appointments to the Board for any specified time period.

Where a Board is appointed, it shall hold a hearing and make a report to the Superintendent with recommendations that it considers appropriate. Before making a decision respecting the particular application or licensee that is the subject of the hearing, the Superintendent shall consider, but is not bound by, the recommendations of the Board.

Activities

During the 2003-04 fiscal year, I appointed a Board to assist in determining if any licensing action was warranted against a real estate salesperson from a consumer complaint of improper conduct by the salesperson. The Board held two days of hearings in May 2003 and reported to me on August 28, 2003. The Board recommended that no disciplinary action was warranted. I concurred with the Board's recommendation.

Financial Statements

When convened, a Board is remunerated by the Trade Practices Division, pursuant to Treasury Board guidelines. The Division budgets \$1,000 annually for such hearings. The one hearing conducted in 2003-04 cost \$ 5,037.13. The additional finances required were made available through identifying savings in other budgetary items.

Challenges Ahead

Cabinet recently approved the creation of a Financial Services Appeal Board to hear appeals of decisions in all financial services that the Department regulates, including real estate. Cabinet also approved the elimination of the Real Estate Advisory Board as it will no longer serve any useful purpose. It is hoped to have the change passed by the House of Assembly in the Fall 2004 session.

Yours truly,

Gerry Burke

Superintendent of Real Estate

c. Brenda Kelleher-Flight
Treasury Board

The Real Estate Foundation of Newfoundland

P. O. Box 21344

St. John's, NL

A1A 5G6

September 8th, 2004

The Honourable Dianne Whalen
Minister of Government Services and Lands
Confederation Building
P. O. Box 8700
St. John's, NL A1B 4J3

Re: Annual Report

Dear Ms. Whalen:

I am pleased to provide and submit the Real Estate Foundation's Financial Statement for the year ending October 31, 2003.

The Board of Governors, as of June 20, 2000, consists of the following:

Gerry Burke	- Representative Provincial Government
H. C. Penney	- Representative Public at Large (St. John's)
Christine Sheppard	- Licenced Real Estate Agent (Goose Bay)
Ruth Legge	- Retired Real Estate Agent (Corner Brook)
Dorothy Woodd	- Chairperson (Gander)

The Secretary of the Board of Governors is Dorothy V. Saunders.

We received one request for funding from the Canadian Regulators Task Force on Agency in the amount of \$5000.00.

Our revenue is up considerably over last year and we are expecting an increase in the revenue for 2004.

Respectfully submitted,

Dorothy Woodd
Chairperson

REAL ESTATE FOUNDATION

Financial Statements

Year Ended October 31, 2003

REAL ESTATE FOUNDATION

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Year Ended October 31, 2003

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AUDITOR'S REPORT

To the Board of Governors of Real Estate Foundation

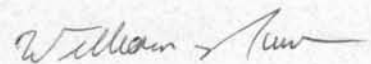
I have audited the balance sheet of Real Estate Foundation as at October 31, 2003 and the statements of loss, retained earnings and cash flows for the year then ended. These financial statements are the responsibility of the foundation's management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

The Real Estate Foundation derives revenue from interest on members' trust accounts, the completeness of which is not susceptible to audit verification. Accordingly, my verification of this revenue is limited to the amounts recorded in the accounts of the Real Estate Foundation and I was not able to determine whether any adjustments might be necessary to revenue, net loss, assets and retained earnings.

In my opinion, except for the effect of adjustments, if any, I might have determined to be necessary had I been able to satisfy myself concerning the completeness of revenue referred to in the previous paragraph, these financial statements present fairly, in all material respects, the financial position of the foundation as at October 31, 2003 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Conception Bay South, NF
June 24, 2004



Chartered Accountant

REAL ESTATE FOUNDATION

Balance Sheet

October 31, 2003

	2003	2002
ASSETS		
CURRENT		
Cash	\$ 58,342	\$ 70,804
Accounts receivable	1,975	1,107
Prepaid expenses	100	-
	<u>\$ 60,417</u>	<u>\$ 71,911</u>
LIABILITIES AND MEMBERS' EQUITY		
CURRENT		
Payables and accruals	\$ 6,991	\$ 8,755
RETAINED EARNINGS	<u>53,426</u>	<u>63,156</u>
	<u>\$ 60,417</u>	<u>\$ 71,911</u>

ON BEHALF OF THE BOARD

_____ *Director*

_____ *Director*

See accompanying notes to the financial statements

REAL ESTATE FOUNDATION**Statement of Loss****Year Ended October 31, 2003**

	2003	2002
REVENUE		
Interest on Agents' accounts	\$ 7,614	\$ 2,731
Interest income	1,030	837
	<u>8,644</u>	<u>3,568</u>
EXPENSES		
Education (<i>Note 2</i>)	7,271	3,721
Administrative services	6,000	4,396
Meetings and travel	2,336	2,109
Professional fees	1,466	1,409
Office	679	-
Rent	600	615
Interest and bank charges	22	50
General and administrative expenses	-	325
	<u>18,374</u>	<u>12,625</u>
NET LOSS	\$ (9,730)	\$ (9,057)

See accompanying notes to the financial statements

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William J. Dawe

REAL ESTATE FOUNDATION**Statement of Retained Earnings****Year Ended October 31, 2003**

	2003	2002
RETAINED EARNINGS - BEGINNING OF YEAR	\$ 63,156	\$ 72,213
NET LOSS FOR THE YEAR	<u>(9,730)</u>	<u>(9,057)</u>
RETAINED EARNINGS - END OF YEAR	<u>\$ 53,426</u>	<u>\$ 63,156</u>

See accompanying notes to the financial statements

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REAL ESTATE FOUNDATION**Statement of Cash Flows****Year Ended October 31, 2003**

	2003	2002
OPERATING ACTIVITIES		
Net loss	<u>\$ (9,730)</u>	<u>\$ (9,057)</u>
Changes in non-cash working capital:		
Accounts receivable	(868)	1,301
Payables and accruals	(1,764)	6,057
Prepaid expenses	<u>(100)</u>	<u>-</u>
	<u>(2,732)</u>	<u>7,358</u>
Cash flow used by operating activities	<u>(12,462)</u>	<u>(1,699)</u>
DECREASE IN CASH FLOW	(12,462)	(1,699)
CASH - Beginning of year	<u>70,804</u>	<u>72,503</u>
CASH - End of year	<u>\$ 58,342</u>	<u>\$ 70,804</u>

REAL ESTATE FOUNDATION**Statement of Cash Flows****Year Ended October 31, 2003**

	2003	2002
OPERATING ACTIVITIES		
Net loss	\$ (9,730)	\$ (9,057)
Changes in non-cash working capital:		
Accounts receivable	(868)	1,301
Payables and accruals	(1,764)	6,057
Prepaid expenses	(100)	-
	(2,732)	7,358
Cash flow used by operating activities	(12,462)	(1,699)
DECREASE IN CASH FLOW	(12,462)	(1,699)
CASH - Beginning of year	70,804	72,503
CASH - End of year	\$ 58,342	\$ 70,804

Visit our web site at: www.gov.nl.ca/gs



Government of Newfoundland and Labrador
Department of Government Services
P.O. Box 8700, St. John's, NL A1B 4J6