



THE NEWFOUNDLAND AND LABRADOR GAZETTE EXTRAORDINARY

Part II

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ST. JOHN'S, WEDNESDAY, JUNE 1, 2016

**NEWFOUNDLAND AND LABRADOR
REGULATIONS**

NLR 24/16

NLR 25/16

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NEWFOUNDLAND AND LABRADOR REGULATION 24/16

Public Pools Regulations (Amendment)
under the
Health and Community Services Act

(Filed June 1, 2016)

Under the authority of section 11 of the *Health and Community Services Act*, I make the following regulations.

Dated at St. John's, May 31, 2016.

Dr. John Haggie
Minister of Health and Community Services

REGULATIONS

Analysis

1. S.16 Amdt.
Safety

CNLR 1023/96
as amended

1. (1) Subsection 16(4) of the *Public Pools Regulations* is repealed and the following substituted:

(4) Where there is only one lifeguard on duty on the deck, an owner and an operator of a Class A pool shall ensure that there are, elsewhere on the premises and within call, one or more additional persons 16 years of age or more who are currently trained in Emergency First Aid and CPR and who are aware of the emergency and operational procedures for the pool.

(2) Subsection 16(6) of the regulations is repealed and the following substituted:

(6) A lifeguard shall be 16 years of age or older.

(3) Subsection 16(8) of the regulations is repealed and the following substituted:

(8) For the purpose of this section a current lifeguard certificate means

(a) a valid lifeguard certificate issued by the Royal Life Saving Society or the Canadian Red Cross; and

(b) either

(i) a valid Standard First Aid and CPR Certificate, or

(ii) another equivalent program approved by the minister.

(4) Subsection 16(9) of the regulations is repealed.

(5) Subsection 16(10) of the regulations is repealed and the following substituted:

(10) For the purpose of this section a current assistant lifeguard certificate means

(a) a valid assistant lifeguard certificate issued by the Royal Life Saving Society or the Canadian Red Cross; and

(b) either

(i) a valid Standard First Aid and CPR Certificate, or

(ii) another equivalent program approved by the minister.

(6) Subsection 16(11) of the regulations is repealed.

(7) Subsection 16(12) of the regulations is repealed and the following substituted:

(12) For the purpose of this section a Standard First Aid and CPR Certificate means a certificate issued by

- (a) the Canadian Red Cross;
- (b) St. John Ambulance;
- (c) the Royal Life Saving Society; or
- (d) an equivalent certificate or program approved by the minister.

(8) Subsection 16(18) of the regulations is repealed and the following substituted:

(18) An owner and an operator shall ensure that there is an identifiable room or area for the sole purpose of emergency care and this area shall contain

- (a) a spine board with a head immobilization device, working straps or a device designed for securely transporting a person who has incurred a head, neck or spinal injury;
- (b) a fully stocked #3 first aid kit in accordance with Schedule D to the *Occupational Health and Safety First Aid Regulations*; and
- (c) splints for treating musculoskeletal injuries.

(9) Subsection 16(19) of the regulations is repealed and the following substituted:

(19) A Class A pool, other than a pool installed at a campground or day camp, shall be equipped with

- (a) where the pool area is greater than 150 square metres, but not greater than 230 square metres, at least one control station that is restricted to the exclusive use of lifeguards and assistant lifeguards; and
- (b) where the pool area is greater than 230 square metres, at least 2 control stations that are restricted to the exclusive use of lifeguards and assistant lifeguards.

(10) Section 16 of the regulations is amended by adding immediately after subsection (19) the following:

(20) In this section, "control station" means an elevated platform or chair which is

- (a) at least 1.8 metres above the water surface of the pool;
- (b) located at the side of the pool to provide an unobstructed view of the bottom of the pool; and
- (c) securely positioned while in use.

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NEWFOUNDLAND AND LABRADOR REGULATION 25/16

Income and Employment Support Regulations (Amendment)
under the
Income and Employment Support Act
(O.C. 2016-070)

(Filed June 1, 2016)

Under the authority of section 52 of the *Income and Employment Support Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, May 31, 2016.

Julia Mullaley
Clerk of the Executive Council

REGULATIONS

Analysis

- | | |
|---------------------------------------|-----------------|
| 1. S.19 Amdt.
Other income support | 2. Commencement |
|---------------------------------------|-----------------|

NLR 144/04
as amended

1. Paragraphs 19(1)(a) and (b) of the *Income and Employment Support Regulations* are repealed and the following substituted:

- (a) a fuel supplement for an applicant or recipient maintaining a residence in Labrador, up to a maximum of \$132, where the cost of heat is not included in the amount of rent;

- (b) a fuel supplement for an applicant or recipient maintaining a residence on the island portion of the province, up to a maximum of \$71, where the cost of heat is not included in the amount of rent;

Commencement

2. These regulations come into force on June 1, 2016.

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NEWFOUNDLAND AND LABRADOR REGULATION 26/16

Public Trustee Compensation Regulations (Amendment)
under the
Public Trustee Act, 2009
(O.C. 2016-074)

(Filed June 1, 2016)

Under the authority of section 23 of the *Public Trustee Act, 2009*,
the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, May 31, 2016.

Julia Mullaley
Clerk of the Executive Council

REGULATIONS

Analysis

- | | |
|---------------|-----------------|
| 1. Sch. Amdt. | 2. Commencement |
|---------------|-----------------|

NLR 86/13

1. The Schedule to the *Public Trustee Compensation Regulations* is repealed and the following substituted:

*Public Trustee Compensation Regulations
(Amendment)*

26/16

Schedule

Column A	Column B	Column C	Column D
Duty or Service	Payable by	When Payable	Fee
<i>Life Insurance Act</i>			
receipt of money paid into court on behalf of a minor under section 52	estate	on receipt of funds by the public trustee	\$250
	Plus		
	estate	semi-annually and on payout	8% of interest or income received
<i>Trustee Act</i>			
receipt of money paid into court under section 48	estate	on receipt of funds by the public trustee	\$250
	Plus		
	estate	semi-annually and on payout	8% of interest or income earned
<i>Public Trustee Act, 2009</i>			
i) continuing trusts	trust	semi-annually and on payout	0.4% of average market value of assets under administration
ii) administration or probate of the estate of a deceased person	estate	on receipt of funds by the public trustee	8% of capital assets received
	Plus		
	estate	on receipt of funds by the public trustee	8% commission on sale proceeds of real property
	Plus		
	estate	on receipt of funds by the public trustee	10% commission on sale proceeds of chattels
	Plus		
	estate	semi-annually and on payout	8% of interest or income received
	person requesting deed	prior to release of deed	\$250 minimum fee where it is requested and proper to execute a deed with no other duties

*Public Trustee Compensation Regulations
(Amendment)*

26/16

Column A	Column B	Column C	Column D
Duty or Service	Payable by	When Payable	Fee
iii) guardianship of the estate of a minor, mentally incompetent person or missing person	estate	on receipt of funds by the public trustee	5% of capital assets received
	Plus		
	estate	on receipt of funds by the public trustee	5% commission on sale proceeds of real property
	Plus		
	estate	on receipt of funds by the public trustee	10% commission on sale proceeds of chattels
	Plus		
	estate	semi-annually and on payout	5% of interest or income received
iv) acting under power of attorney	estate	on receipt of funds by the public trustee	8% of capital assets received
	Plus		
	estate	on receipt of funds by the public trustee	8% commission on sale proceeds of real property
	Plus		
	estate	on receipt of funds by the public trustee	10% commission on sale proceeds of chattels
	Plus		
	estate	semi-annually and on payout	8% of interest or income received

Commencement

2. These regulations come into force on June 1, 2016.

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NEWFOUNDLAND AND LABRADOR REGULATION 27/16

Student Financial Assistance Regulations (Amendment)
under the
Student Financial Assistance Act
(O.C. 2016-0173)

(Filed June 1, 2016)

Under the authority of section 16 of the *Student Financial Assistance Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, May 31, 2016.

Julia Mullaley
Clerk of the Executive Council

REGULATIONS

Analysis

1. S.4 R&S
Amount of financial assistance

NLR 105/03
as amended

1. Section 4 of the *Student Financial Assistance Regulations* is repealed and the following substituted:

Amount of financial
assistance

4. (1) Financial assistance shall not be issued in an amount that is less than \$67.

(2) For the year commencing August 1, 2015 and ending July 31, 2016, financial assistance issued to a qualifying student shall be issued in the manner and amounts as follows:

- (a) an amount of not more than \$140 per week of a period of study in a non repayable grant; or
- (b) where the qualifying student is enrolled in medical school at Memorial University of Newfoundland, an amount of not more than \$200 per week of a period of study in a non repayable grant.

(3) Notwithstanding subsection (2), where a qualifying student is enrolled in a program of study outside the province, financial assistance issued to the qualifying student for the period referred to in subsection (2) shall be issued first in an amount of not more than \$60 per week of a period of study in student loan and second in an amount of not more than \$80 per week of a period of study in a non repayable grant unless the minister determines that

- (a) the qualifying student's program of study is not offered in the province;
- (b) the qualifying student is enrolled in graduate studies;
- (c) the qualifying student's program of study differs substantially from any program of study offered in the province;
- (d) the qualifying student does not meet the minimum entry requirement for his or her program of study in the province but meets the requirements for substantially the same program outside the province;
- (e) the qualifying student applied to do his or her program of study in the province but was denied entry due to limited spaces in that program;
- (f) the qualifying student received transfer credits toward advanced standing into his or her program of study, resulting in a reduced length of time for that program;

- (g) the qualifying student's partner has undertaken studies outside the province and he or she meets a requirement under one or more of paragraphs (a) to (f); or
- (h) there is another reason that the minister considers to be appropriate.

(4) Commencing August 1, 2016, financial assistance issued to a qualifying student shall be issued in the manner and amounts as follows:

- (a) first, an amount of not more than \$40 per week of a period of study in student loan; and
- (b) second,
 - (i) an amount of not more than \$100 per week of a period of study in a non repayable grant, or
 - (ii) where the qualifying student is enrolled in medical school at Memorial University of Newfoundland, an amount of not more than \$125 per week of a period of study in a non repayable grant; and
- (c) third, where the qualifying student is enrolled in medical school at Memorial University of Newfoundland, a further amount of not more than \$35 per week of a period of study in student loan.

(5) Notwithstanding subsection (4), where a qualifying student is enrolled in a program of study outside the province, financial assistance issued to the qualifying student shall be issued in an amount of not more than \$140 per week of a period of study in student loan unless the minister determines that

- (a) the qualifying student's program of study is not offered in the province;
- (b) the qualifying student is enrolled in graduate studies;
- (c) the qualifying student's program of study differs substantially from any program of study offered in the province;

- (d) the qualifying student does not meet the minimum entry requirement for his or her program of study in the province but meets the requirements for substantially the same program outside the province;
- (e) the qualifying student applied to do his or her program of study in the province but was denied entry due to limited spaces in that program;
- (f) the qualifying student received transfer credits toward advanced standing into his or her program of study, resulting in a reduced length of time for that program;
- (g) the qualifying student's partner has undertaken studies outside the province and he or she meets a requirement under one or more of paragraphs (a) to (f); or
- (h) there is another reason that the minister considers to be appropriate.

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