



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I
PUBLISHED BY AUTHORITY

Vol. 77

ST. JOHN'S, FRIDAY, MARCH 8, 2002

No. 10

MINERAL ACT

NOTICE

Published in accordance with regulation 62 of the Mineral Regulations.

Mineral rights to the following mineral licences have reverted to the Crown:

Mineral Licence held by situate near on map sheet	702M, 7243M Archean Resources Ltd. Kiglapait Mountain 14F/ 4
Mineral Licence held by situate near on map sheet	696M Northstar Exploration Limited Tikkegaksuak Peninsula 14F/ 3
Mineral Licence held by situate near on map sheet	5374M Kevin Cooper Southern Peak Pd, Avalon Pen. 1N/ 6
Mineral Licence held by situate near on map sheet	5819M A. Wayne Lockhart Costa Bay, Western Nfld 12B/10
Mineral Licence held by	5853M Copper Hill Resources Inc.

situate near
on map sheet

Great Gull Pond, Central Nfld
12H/ 1

Mineral Licence held by situate near on map sheet

6232M, 6233M
Fonteneau Resources Ltd.
Elross Lake
23J/14

Mineral Licence held by situate near on map sheet

6388M
Donald Driscoll
Badger, Central Nfld
12A/16, 12H/ 1

Mineral Licence held by situate near on map sheet

6412M
Larry Quinlan
Campbelton, Central Nfld
2E/ 7

Mineral Licence held by situate near on map sheet

7102M
International Granite Corporation
Phillips Lake, Central Nfld
2E/3, 2D/14

Mineral Licence held by situate near on map sheet

7103M
International Granite Corporation
Cornfield Pond, Central Nfld
2D/13, 2E/ 4

Mineral Licence held by situate near on map sheet

7172M
Wayne Warren
Jacks Pond Park, Avalon Pen.
1N/12, 1N/13

THE NEWFOUNDLAND AND LABRADOR GAZETTE

March 8, 2002

Mineral Licence held by	7193M Phelps Dodge Corporation of Canada Limited	situate near on map sheet	Meelpaeg Lake, Central Nfld 12A/ 2
situate near on map sheet	Hawke Hill, Avalon Peninsula 1N/ 6	Mineral Licence held by situate near on map sheet	7806M George Lannon Mosquito Cove, Avalon Peninsula 1N/13
Mineral Licence held by situate near on map sheet	7756M Jacob Kennedy Patrick's Pond, Central Nfld 12H/ 1	Mineral Licence held by situate near on map sheet	7814M Donald Driscoll Frozen Ocean Lk, Central Nfld 2E/ 4
Mineral Licence held by situate near on map sheet	7759M Douglas Arnold Crooked Knife Bk, Central Nfld 2D/13	Mineral Licence held by situate near on map sheet	7815M British Canadian Mines Ltd. Fleur de Lys, Baie Verte Pen. 12I/ 1
Mineral Licence held by situate near on map sheet	7763M Ernest Spurrell Whales Pond, Avalon Peninsula 1N/ 7	Mineral Licence held by situate near on map sheet	7817M Kevin Brewer Fox Island, Placentia Bay 1N/ 5
Mineral Licence held by situate near on map sheet	7765M Roland Chamberlain Middle Barachois, Western Nfld 12B/ 2	A portion of licence held by situate near on map sheet	6550M Tulks Resources Limited Victoria Lake, Central Nfld 12A/ 6 more particularly described in an application on file at Dept. of Mines and Energy
Mineral Licence held by situate near on map sheet	7766M James Watson Soldiers Pond, Avalon Peninsula 1N/ 7	A portion of licence held by situate near on map sheet	6551M Tulks Resources Limited Victoria Lake, Central Nfld 12A/ 6 more particularly described in an application on file at Dept. of Mines and Energy
Mineral Licence held by situate near on map sheet	7776M Dion Wade Dildo Pond, Central Nfld 2E/ 2	A portion of licence held by situate near on map sheet	6552M Tulks Resources Limited Victoria Lake, Central Nfld 12A/ 6 more particularly described in an application on file at Dept. of Mines and Energy
Mineral Licence held by situate near on map sheet	7781M Dion Wade Little Wing Pond, Central Nfld 2E/1	A portion of licence held by situate near on map sheet	6555M Island Arc Exploration Inc. Victoria Lake, Central Nfld 12A/ 6 more particularly described in an application on file at Dept. of Mines and Energy
Mineral Licence held by situate near on map sheet	7780M Dion Wade Jonathans First Pd, Central Nf 2E/2	A portion of licence held by	6558M Island Arc Exploration Inc.
Mineral Licence held by situate near on map sheet	7804M Hector Blake Baker Lake 23J/10		
Mineral Licence held by	7805M Douglas Arnold		

situate near Victoria Lake, Central Nfld
 on map sheet 12A/ 6
 more particularly described in an application on file at Dept.
 of Mines and Energy

A portion of licence 7874M
 held by Albert N. Woodman
 situate near Benton, Central Nfld
 on map sheet 2D/16
 more particularly described in an application on file at Dept.
 of Mines and Energy

A portion of licence 7875M
 held by Robert Woodman
 situate near Benton, Central Nfld
 on map sheet 2D/16
 more particularly described in an application on file at Dept.
 of Mines and Energy

A portion of licence 7876M
 held by Wayde Guinchard
 situate near Benton, Central Nfld
 on map sheet 2D/16
 more particularly described in an application on file at Dept.
 of Mines and Energy

All that portion of Ground
 Staked Licence 4878
 held by Buchans River Ltd
 situate near Clench Brook, Central Nfld
 on map sheet 12A/15
 not covered by new Converted Mapped Staked Licence
 8444M

The lands covered by this notice except for the lands within
 Exempt Mineral Lands, the Exempt Mineral Lands being
 described in Consolidated Newfoundland Regulations
 1143/96 and Newfoundland Regulation 71/98, 104/98,
 97/2000 and 36/2001 and outlined on 1:50 000 scale maps
 maintained by the Department of Mines and Energy, will be
 open for staking after the hour of 9:00 AM on the 32nd clear
 day after the date of this publication. Priority of applications
 submitted will be determined by a draw.

JIM HINCHEY, P.Geo
 Mineral Claims Recorder

771: 2458
 774. 0432, 2667, 2933, 2944, 3177, 3270, 3285, 3369,
 3684, 3685, 3718, 3729, 4098, 4101, 4104, 4106,
 4107, 4111 4113, 4115, 4116, 4117, 4121, 4122,
 4124, 4170, 4171, 4172

Mar 8

CITY OF ST. JOHN'S ACT



**ST. JOHN'S MUNICIPAL COUNCIL
 NOTICE
 ST. JOHN'S SKATEBOARD, IN-LINE SKATES &
 SCOOTER BY LAW**

TAKE NOTICE that the St. John's Municipal
 Council has enacted an amendment to the ST. JOHN'S
 SKATEBOARD, IN-LINE SKATES & SCOOTER BY-
 LAW.

The said Amendment was passed by Council on the
 28th day of January, 2002 and will have the effect of allowing
 in-line skating in Victoria Park, Bannerman Park and
 Bowring Park; and prohibiting the operation of a scooter and
 in-line skating on trails forming part of the Grand Concourse
 and the Virginia River Trail.

All persons are hereby required to take notice that
 any person who wishes to view such By-Law may view
 same at the Office of the City Solicitor of the St. John's
 Municipal Council at City Hall, and that any person who
 wishes to obtain a copy thereof may obtain it at the said
 office upon the payment of a reasonable charge as established
 by the St. John's Municipal Council for such copy.

Dated this 26th day of February, 2002.

DAMIAN RYAN
 City Clerk

P. O. # 45116

Mar 8

URBAN AND RURAL PLANNING ACT

NOTICE OF REGISTRATION
 CITY OF MOUNT PEARL
 MUNICIPAL PLAN AMENDMENT NO. 46, 2001
 AND
 DEVELOPMENT REGULATIONS
 AMENDMENT NO. 113, 2001

TAKE NOTICE that the City of Mount Pearl Municipal Plan Amendment Number 46, 2001 and Development Regulations Amendment Number 113, 2001, adopted by Council on the 20th day of November, 2001, and approved (as amended) on the 29th day of January, 2002, has been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of Municipal Plan Amendment Number 46, 2001 is to re-designate land in the general area of Canadian Auto Recycling at Commercial Court, located north of Topsail Road, from Open Space Conservation to Industrial, and from Mixed Use to Industrial. In conjunction with this re-designation, Municipal Plan Amendment Number 46, 2001 adds policies to ensure that, where industrial development abuts other land use designations, adequate buffering, screening, and/or separation distances are to be incorporated into the site design of industrial lands.

In general terms, the purpose of Development Regulations Amendment Number 113, 2001 is to change the zoning of property in the general area of Canadian Auto Recycling at Commercial Court from Conservation (CON) to Industrial –Light (LI), and from Mixed Development (MD) to Industrial–Light (LI). In conjunction with this re-zoning, Development Regulations Amendment Number 113 adds a section on “Buffering” to the conditions section of the text pertaining to the Industrial –Light (LI) Use Zone.

The Mount Pearl Municipal Plan Amendment Number 46, 2001 and Development Regulations Amendment Number 113, 2001 come into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of the Mount Pearl Municipal Plan Amendment Number 46, 2001 and Development Regulations Number 113, 2001 may do so at the Mount Pearl City Hall, 3 Centennial Street during normal working hours.

CITY OF MOUNT PEARL
 Per: Gerard Lewis, City Clerk

Mar 8

NOTICE OF REGISTRATION
 ST. JOHN’S MUNICIPAL PLAN
 AMENDMENT NO. 139, 2001
 AND
 ST. JOHN’S DEVELOPMENT REGULATIONS
 AMENDMENT NO. 244, 2001

TAKE NOTICE that the City of St. John’s Municipal Plan Amendment Number 139, 2001 and St. John’s Development Regulations Amendment Number 244, 2001, adopted on the 10th day of December, 2001, and approved on the 25th day of February, 2002, has been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of St. John’s Municipal Plan Amendment Number 139, 2001, is to redesignate land in the Clovelly Park Area in the vicinity of Strick Pond Brook to the Residential Low Density District and the Open Space District to make provision for extension of residential development and a future neighbourhood park.

In general terms, the purpose of St. John’s Development Regulations Amendment Number 244, 2001, is to rezone land in the Clovelly Park Area in the vicinity of Stick Pond Brook to the Residential Low Density Zone (R1) and the Open Space Zone (O) to make provision for extension of residential development and a future neighbourhood park.

The St. John’s Municipal Plan Amendment Number 139, 2001 and St. John’s Development Regulations Amendment Number 244, 2001 come into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of St. John’s Municipal Plan Amendment Number 139, 2001 and St. John’s Development Regulations Amendment Number 244, 2001, may do so at the City of St. John’s Department of Engineering and Planning Department, 3rd Floor, City Hall, during regular business hours (Monday through Friday, 9:00 a.m. to 4:30 p.m.) .

CITY OF ST. JOHN’S
 Per: Cliff Johnston
 Engineering and Planning Dept

Mar 8

P. O. # 45116

LANDS ACT**NOTICE OF INTENT**

Lands Act, Chapter 36, S.N. 1991

Notice is hereby given that Donald Pike of Woody Point intends to apply to the Department of Government Services and Lands, two months from the publication of this notice, to acquire title, pursuant to Section 7(2)(c) of the said Act, to that piece of Crown Land situated within fifteen metres of the waters of Three Tom Spring, in the Electoral District of Humber Valley, Province of Newfoundland and Labrador, for the purpose of obtaining a source of water for a bottled water processing plant, and being more particularly described as follows:

*Bounded on the North by Forest and
Gros Morne National Park
for a distance of 3,000m;
Bounded on the East by Forest and a Transmission Line
for a distance of 3,000m;
Bounded on the South by Forest and an Old Logging Road
for a distance of 3,000m;
Bounded on the West by Forest and Three Tom Brook
for a distance of 3,000m;
and containing an area of
approximately 6000 square metres.*

Any person wishing to object to the application must file the objection, in writing, within one month from the date of publication of this notice, with reasons for it, to the Minister of Government Services and Lands, c/o Western Regional Lands Office, P. O. Box 2006, Noton Building, Corner Brook, A2H 6J8.

For further information regarding the proposed application, please contact Donald Pike or Bob Taylor, (709) 453-2512.

Requests for information on the processing of Crown Land applications under Section 7(2) of the Lands Act, may be sent to the Central Regional Office at the above address. Telephone (709) 729-3699.

Mar 8

QUIETING OF TITLES ACT

2002 01 T 0502

IN THE SUPREME COURT
OF NEWFOUNDLAND

TRIAL DIVISION

NOTICE OF APPLICATION under the *Quieting of Titles Act*, Chapter Q-3, of the Revised Statutes of Newfoundland, as amended.**NOTICE OF APPLICATION**

NOTICE IS HEREBY GIVEN to all parties that the Roman Catholic Episcopal Corporation of St. John's, (the "Applicant") has applied to the Supreme Court of Newfoundland and Labrador, Trial Division, in the Judicial Centre of St. John's, to have the title to ALL THAT piece or parcel of land situate and being at Tors Cove, in the Electoral District of Ferryland, in the Province of Newfoundland and Labrador, Canada, and more particularly described in Schedule "A" hereto annexed, of which the Applicant claims of its own behalf to be the owner, investigated and for a declaration that the Applicant is the absolute owner thereof, free from those exceptions or qualifications contained in Subsections 22 (1) (c) and (d) of the *Quieting of Titles Act*. All persons having a claim adverse to the title claimed by the Applicant should file in the Registry of the Supreme Court of Newfoundland and Labrador, Trial Division, Judicial Centre of St. John's, at the Courthouse Building, Duckworth Street, St. John's, Newfoundland and Labrador, Canada, A1C 5M3, particulars of such adverse claim and serve same, together with an Affidavit verifying same, on the undersigned solicitors for the Applicant on or before the 25th day of March, 2002, after which date no party having any claim shall be permitted to file same or to be heard except by special leave of the Court and subject to such conditions as the Court may deem just.

All such adverse claims shall then be investigated in such manner as the Supreme Court may direct.

DATED at St. John's, in the Province of Newfoundland and Labrador, this 25th day of February, 2002.

COX HANSON O'REILLY MATHESON
Solicitors for the Applicant
Per: D. Richard Robbins

ADDRESS FOR SERVICE:
Suite 401, Scotia Centre
235 Water Street
St. John's, NF
A1C 1B6

Mar 8

SCHEDULE 'A'

ALL THAT piece or parcel of land situate and being in Tors Cove, in the Electoral District of Ferryland, in the Province

of Newfoundland, Canada, bounded and abutted as follows; that is to say; Commencing at a point, the said point having T. M. Grid Co-ordinates of N 5,230,716.176 and E 316,605.913;

THENCE running south sixty-five degrees eighteen minutes thirty-four seconds east (S 65° 18' 34" E), a distance of thirty-five decimal one five one metres (35.151 m) by land of Harold Harding;

THENCE turning and running north fifty-nine degrees twenty-three minutes nine seconds east (N 59° 23' 09" E), a distance of fourteen decimal one six two metres (14.162 m) by land of Harold Harding;

THENCE turning and running south sixty-six degrees twenty-one minutes fifty-eight seconds east (S66° 21' 58" E) a distance of forty-nine decimal one two three metres (49.123m) by land of Jim O'Keefe;

THENCE turning and running south sixty-seven degrees thirty-seven minutes nineteen seconds east (S 67° 37' 19" E), a distance of fifty-seven decimal eight zero two metres (57.802m) by land of Jim O'Keefe;

THENCE turning and running south thirty-one degrees thirty-three minutes twenty-five seconds west (S 31° 33' 25" W), a distance of twenty decimal zero two nine metres (20.029m) along Cribbies Road;

THENCE turning and running south twenty-two degrees thirty-eight minutes forty-four seconds west (S22° 38' 44" W), a distance of twenty-eight decimal five eight five metres (28.585 m) along Cribbies Road;

THENCE turning and running south thirteen degrees sixteen minutes nine seconds west (S13° 16' 09" W), a distance of fourteen decimal one eight five metres (14.185 m) along Cribbies Road;

THENCE turning and running north eighty-two degrees one minute twenty-two seconds west (N82° 01' 22" W), a distance of fifteen decimal one seven nine metres (15.179 m) by land of Janet Russell Roll 759 Frame 520;

THENCE turning and running north seventy degrees forty-seven minutes twenty-one seconds west (N70° 47' 21" W), a distance of fourteen decimal two nine zero metres (14.290 m) by land of Pauline Duggan;

THENCE turning and running south eight degrees forty minutes forty-nine seconds west (S08° 40' 49" W), a distance of fifteen decimal four nine one metres (15.491 m) by land of Pauline Duggan.

THENCE turning and running north sixty-eight degrees thirty-four minutes thirty-four seconds west (N68° 34' 34"), a distance of thirty-four decimal four six five metres (34.465m) along the Road To The Cribbies;

THENCE turning and running north fifty-six degrees seventeen minutes forty-two seconds west (N 56° 17' 42" W), a distance of nine decimal six one one metres (9.611 m) along the Road To The Cribbies;

THENCE turning and running north fifty degrees three minutes fourteen seconds west (N 50° 03' 14" W), a distance of five decimal five three eight metres (5.538 m) along the Road To The Cribbies;

THENCE turning and running north forty-five degrees fifty-nine minutes fifty-three seconds west (N 45° 59' 53" W), a distance of twenty-two decimal six one three metres (22.613m) along the Road To The Cribbies;

THENCE turning and running north forty-seven degrees twenty-one minutes forty-six seconds west (N 47° 21' 46" W), a distance of twelve decimal nine eight four metres (12.984 m) along the Road To The Cribbies;

THENCE turning and running north twenty-four degrees fifty-one minutes fifty seconds west (N24° 51' 50" W), a distance of eight decimal eight three metres (8.783 m) along the Road To The Cribbies;

THENCE turning and running north seventeen degrees forty-seven minutes thirty-three seconds west (N 17° 47' 33" W), a distance of five decimal nine seven nine metres (5.979 m) along the Road To The Cribbies;

THENCE turning and running north four degrees six minutes forty-seven seconds west (N04° 06' 47" E), a distance of eighteen decimal eight nine two metres (18.892m) along the Road To The Cribbies;

THENCE turning and running north fourteen degrees fifteen minutes eighteen seconds west (N14° 15' 18" W), a distance of fifteen decimal nine three six metres (15.936m) along the Road To The Cribbies;

THENCE turning and running north twenty-two degrees thirty-five minutes thirty seconds west (N22° 35' 30"W), a distance of twenty-two decimal seven four three metres (22.743 m) along the Road To The Cribbies to the point of commencement. Containing an area of 0.9093 hectares.

RESERVING NEVERTHELESS a Right of Way for the sole purpose of Jim O'Keefe being a 3.048 metres wide running along the boundary of Harold Harding. Commencing at a point, the said point having T. M. Grid Co-ordinates of N 5 230, 716.176 and E316,605.913;

THENCE running south sixty-five degrees eighteen minutes thirty-four seconds east (S65° 18' 34" E), a distance of thirty-five decimal one five one metres (35.151 m) by land of Harold Harding;

THENCE turning and running north fifty-nine degrees twenty-three minutes nine seconds east (N59° 23' 09" E), a distance of fourteen decimal one six two metres (14.162m) by land of Harold Harding;

THENCE turning and running south sixty-six degrees twenty-one minutes fifty-eight seconds east (S66° 21' 58" E), a distance of three decimal seven five six metres (3.756m) by land of Jim O'Keefe;

THENCE turning and running south fifty-nine degrees twenty-three minutes nine seconds west (S59° 23' 09" W), a distance of seventeen decimal nine five three metres (17.953m) by land of the R.C. Episcopal Corporation;

THENCE turning and running north sixty-five degrees eighteen minutes thirty-four seconds west (N65° 18' 34" W), a distance of thirty-three decimal four four seven metres (33.447m) by land of the R.C. Episcopal Corporation;

THENCE turning and running north twenty-two degrees thirty-five minutes thirty seconds west (N 22° 35' 30"W), a distance of four decimal four nine three metres (4.493m) along the Road To The Cribbies to the point of commencement. Containing an area of 0.0154 hectares.

RESERVING ALSO a Right of Way Access for a Well commencing at a point, the said point having T.M. Grid Co-ordinates of N 5,230,623.558 and E316,727.002;

THENCE running south thirteen degrees sixteen minutes nine seconds west (S13° 16' 09" W), a distance of one decimal five zero zero metres (1.500m) along Cribbies Road;

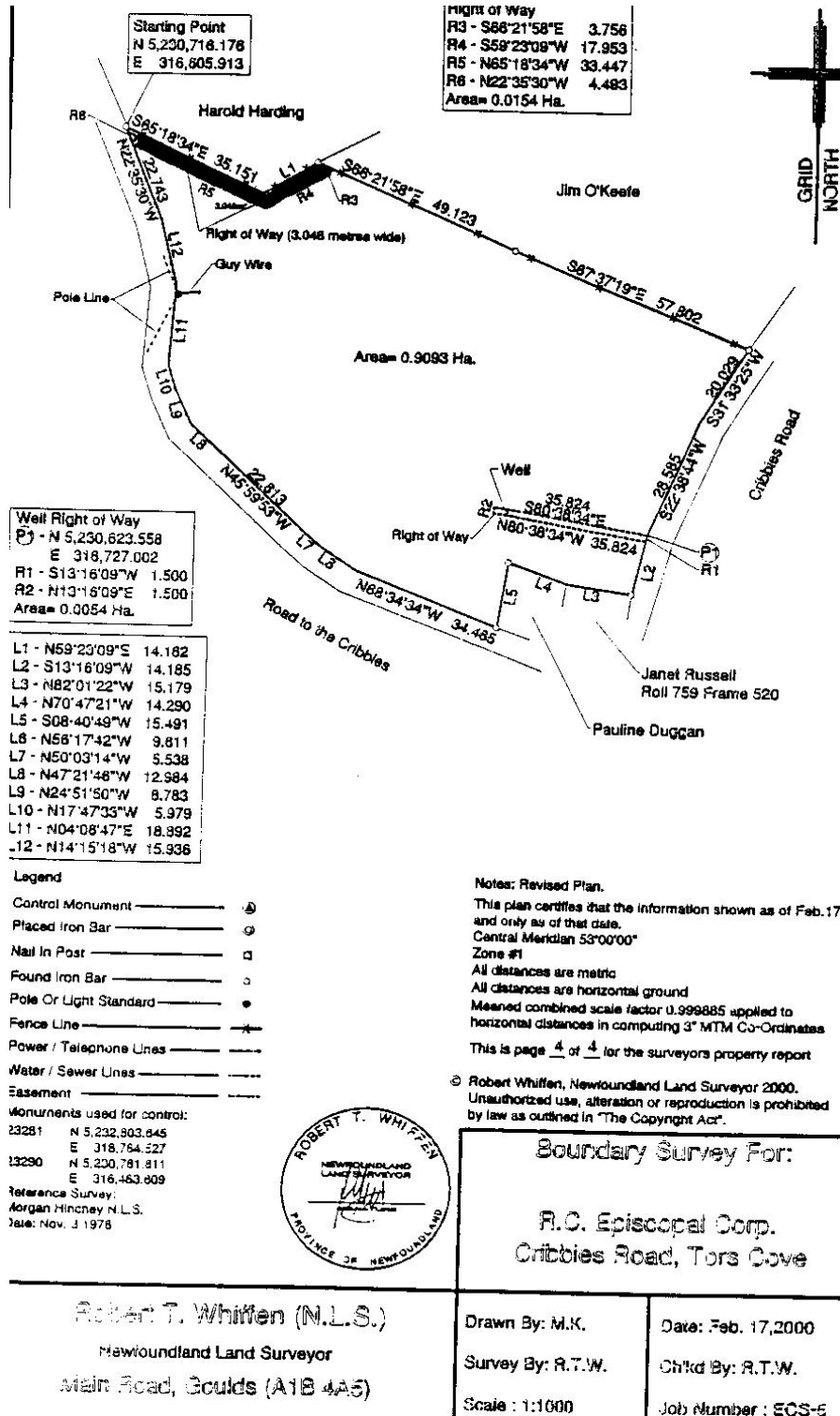
THENCE turning and running north eighty degrees thirty-eight minutes thirty-four seconds west (N80° 38' 34"W), a distance of thirty-five decimal eight two four metres (35.824m) along the Estate of Madonna O'Keefe;

THENCE turning and running north thirteen degrees sixteen minutes nine seconds east (N 13° 16' 09" E), a distance of one decimal five zero zero metres (1.500 m) along the Estate of Madonna O'Keefe;

THENCE turning and running south eighty degrees thirty-eight minutes thirty-four seconds east (S 80° 38' 34"E), a distance of thirty-five decimal eight two four metres (35.824m) along the Estate of Madonna O'Keefe to the point of commencement. Containing an area of 0.0054 hectares.

As reference to Robert T. Whiffen (N.L.S.) Job No. ECS-5.

All bearings are referred to Grid North (N.A.D. 83, C.M. 53°, February 17, 2000).



CHANGE OF NAME ACT

C-8 RSN 1990

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services and Lands for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

RITA REBEKAH ROWSELL

of, P. O. Box 1312, Botwood, A0H 1E0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

BRANDON ARTHUR MARTIN COLLINS
to
BRANDON ARTHUR MARTIN ROWSELL

DATED this 25th day of February, 2002.

RITA ROWSELL
(Signature of Applicant)

Mar 8

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services and Lands for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

DANIELLE ANNE VOKEY

of 35 Windfall Crescent, P. O. Box 2512, Manuels, A1W 1L6, in the Province of Newfoundland and Labrador, as follows:

To change my name from

DANIELLE ANNE VOKEY
to
DANIELLE ANNE BURLOCK

DATED this 18th day of February, 2002.

DANIELLE VOKEY
(Signature of Applicant)

Mar 8

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services and Lands for

a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

MARVIN GARY KING

of P. O. Box 751, Bell Island, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

CHAD GARY WHALEN
to
CHAD GARY KING

DATED this 14th day of February, 2002.

MARVIN G. KING
(Signature of Applicant)

Mar 8

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services and Lands for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

TAMMY ANGELINE TEMPLEMAN

of P. O. Box 429, Shoal Harbour, A0C 2L0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

TAMARA ANGELINE HOLLOWAY
to
TAMARA ANGELINE TEMPLEMAN

DATED this 12th day of February, 2002.

TAMMY TEMPLEMAN
(Signature of Applicant)

Mar 8

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services and Lands for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

MARY ANN HAWKINS

of 2 Blatch Avenue, St. John's, A1C 4P5, in the Province of Newfoundland and Labrador, as follows:

To change my name from

MARY ANN HAWKINS
to
MONYQUE MARY ANN JORDAN
DATED this 18th day of February, 2002.

MARY ANN HAWKINS
(Signature of Applicant)

Mar 8

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services and Lands for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

CURTIS CHRISTOPHER SYNARD

of 13 Maxwell Place, St. John's, in the Province of Newfoundland and Labrador, as follows:

To change my name from

CURTIS CHRISTOPHER SYNARD

to

CURTIS CHRISTOPHER STEAD

DATED this 31st day of January, 2002.

CURTIS SYNARD
(Signature of Applicant)

Mar 8

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services and Lands for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

RICHARD STEPHEN FRANKLIN PEDDLE

of 5 Parade Street, St. John's, A1C 4C8, in the Province of Newfoundland and Labrador, as follows:

To change my name from

RICHARD STEPHEN FRANKLIN PEDDLE

to

RICHARD STEPHEN FRANKLIN MURPHY

DATED this 22nd day of February, 2002.

RICHARD PEDDLE
(Signature of Applicant)

Mar 8

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services and Lands for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

MICHAEL JOSEPH PENTON

of 103 Maryland Drive, Stephenville, A2N 2V7, in the Province of Newfoundland and Labrador, as follows:

To change my name from

MICHAEL JOSEPH PENTON

to

MICHAEL JOSEPH TOBIN

DATED this 25th day of February, 2002.

MICHAEL J. PENTON
(Signature of Applicant)

Mar 8

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services and Lands for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

KAREN ANNE HICKS

of P. O. Box 219, Catalina, A0C 1J0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

ISABELLE FAITH WHYTE

to

ISABELLE FAITH HICKS

DATED this 14th day of February, 2002.

KAREN HICKS
(Signature of Applicant)

Mar 8

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services and Lands for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

EDNA MARIE BROWNE

of Site 6, Box 5, RR1, Placentia, A0B 2Y0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from
 DEVIN THOMAS RYAN
 to
 DEVIN THOMAS KENNETH BROWNE
 DATED this 25th day of February, 2002.
 EDNA BROWNE
 (Signature of Applicant)

Fort William Building
 10 Factory Lane
 St. John's, NF
 A1C 6H5

William J. Andrews, FCGA
 17 Logy Bay Road
 St. John's, NF
 A1A 1J2

Mar 8

**NOTICE OF APPLICATION
 FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services and Lands for a change of name, pursuant to the provisions of the Change of Name Act, by me:-

DENISE JANE GREENE

of P. O. Box 20, Site 4, John's Beach, A0L 1A0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried children's name from

SHAUNA VERONICA OSMOND

to

SHAUNA VERONICA GREENE

JACKLYN LOUISE OSMOND

to

JACKLYN LOUISE GREENE

DATED this 23rd day of January, 2002.

DENISE J. GREENE
 (Signature of Applicant)

James L. Anstey, C.A.
 Walters Hoffe
 P.O. Box 348
 30 Roe Avenue
 Gander, NF
 A1V 1W7

Derrick H. Anthony, C.A.
 Grant Thornton LLP
 P.O. Box 83
 9 High Street
 Grand Falls-Windsor, NF
 A2A 2J3

Donald Anthony, C.A.
 Anthony & Smith Chartered Accountants
 P.O. Box 8161, Station A
 St. John's, NF
 A1B 3M9

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Public Accountants Licensing Board
 Dr. Alex Faseruk, Chair

Shelley Senior, LL.B., Secretary

Mar 8

PSYCHOLOGISTS ACT

**Newfoundland Board of Examiners in Psychology
 List of Psychologists, February 28, 2002**

Name	Licence #	Status	Residency
Mr. Keith Adey	104	full	resident
Mr. Paul Albert	83	full	nonresident
Mr. Anthony Alexander	111	full	resident
Ms. Valerie Anderson	89	full	resident
Dr. Christine Arlett	48	full	resident
Ms. Kim Baldwin	235	provisional	resident
Mr. Glenn T. Barry	215	full	resident

THE NEWFOUNDLAND AND LABRADOR GAZETTE

March 8, 2002

Ms. Sharon Batstone	280	provisional	resident
Ms. Lisa-Ann Bendzsa	242	full	resident
Dr. Tamara Berman	231	full	nonresident
Ms. Lorna Berndt Piercey	47	full	resident
Ms. Jill Blackwood	23	full	resident
Mr. Fred Bonnell	93	full	resident
Ms. Genevieve A. Bouzane	24	full	resident
Mr. Robert Bradbury	170	full	resident
Ms. Michele A. Breen-Gill	220	full	resident
Ms. Deborah Brock	188	full	nonresident
Ms. Janice Burke	152	full	resident
Mr. Gary Burt	65	full	resident
Ms. Denise Butt	212	full	resident
Ms. Mhaire Byars	184	full	resident
Ms. Sheila Byrne	279	provisional	resident
Dr. Patricia Canning	126	full	resident
Ms. Beverley Cater-Gauthier	25	full	resident
Ms. Miriam Cherniak	244	full	nonresident
Dr. Elizabeth Church	50	full	resident
Ms. Lori S. Chynn	166	full	resident
Ms. Sharon Clifford	260	full	nonresident
Ms. Della Coish	282	provisional	resident
Ms. Elsie Colbourne	267	provisional	resident
Mr. Desmond Coombs	8	full	resident
Mr. David R. Cooper	106	full	resident
Dr. Peter Cornish	192	full	resident
Ms. Valerie Crewe	26	full	resident
Ms. Natasha Curran	221	full	resident
Mr. Patrick Daniels	91	full	nonresident
Dr. Samuel Danquah	30	full	nonresident
Dr. D. Elaine Davis	4	full	resident
Ms. Valarie Davis	176	full	resident
Ms. Nancy A. Dawson	51	full	resident
Mr. Roger Deveaux	139	full	resident
Ms. Mary Devereaux	209	full	resident
Dr. Lorraine Dicks	86	full	resident
Mr. Scott Downey	79	full	resident
Mr. Kieron Downton	258	provisional	resident
Dr. Michael Doyle	10	full	resident
Ms. Kerri-lynn Drover	109	full	resident
Ms. Kristyn Drover	266	provisional	nonresident
Mr. Kevin Dunphy	274	provisional	resident
Ms. Claudia Earle	52	full	resident
Ms. Lisa Eckert	149	full	resident
Ms. Wendy Edgecombe	226	provisional	resident
Ms. Miriam El-Gohary	102	full	resident
Mr. Derek S. Elliott	233	full	resident
Ms. Bronwyn Evans	292	provisional	resident
Dr. William T. Fagan	145	full	resident
Ms. Paula Frost	123	full	resident
Ms. Marie Furlong	76	full	nonresident
Ms. Judith Furlong-Mallard	256	full	resident
Ms. Joanne Gallagher-Duffy	27	full	nonresident
Ms. Beverly Galutira	53	full	resident
Ms. Gloria Gambin-Pynn	268	provisional	resident
Dr. John C. Garland	13	full	resident

THE NEWFOUNDLAND AND LABRADOR GAZETTE

March 8, 2002

Dr. Norman Garlie	11	full	resident
Dr. Peter Gaskovski	290	provisional	resident
Mr. Edgar Gaulton	28	full	resident
Mr. Robert Gauthier	42	full	resident
Ms. Emma Genge	246	provisional	resident
Mr. Thomas George	204	full	resident
Dr. Thomas Bruce Gilbert	148	full	nonresident
Ms. Annette Goring Gingras	12	full	nonresident
Dr. Norman H. Hadley	44	full	resident
Ms Peggy Hann	286	provisional	resident
Mr. John Harnett	129	full	resident
Mr. Jack W. Harrington	101	full	resident
Dr. David Hart	29	full	nonresident
Ms. Joan Hartery	64	full	resident
Dr. Olga Heath	31	full	resident
Ms. Marina Hewlett	124	full	resident
Ms. Colleen Hickey	265	provisional	resident
Ms. Donna Hicks	197	full	resident
Mr. Curtis Hillier	206	full	resident
Dr. Freida Hjartarson	84	full	resident
Mr. Chris Hodder	254	provisional	resident
Dr. Andrea Hodgetts	278	provisional	resident
Mr. Thomas P. Honan	17	full	nonresident
Ms. Dale Hunt	219	full	resident
Ms. Gertie Hunt	78	full	resident
Dr. George W. Hurley	3	full	resident
Ms. Betty Isaac	70	full	nonresident
Mr. Harvey Jackman	99	full	resident
Ms. Paula Jacobs	236	full	resident
Mr. David Jeans	298	provisional	resident
Dr. Gary Jeffery	43	full	resident
Dr. Ronald Johnson	175	full	nonresident
Ms. Wavie Johnson	168	full	resident
Mr. William Kane	37	full	resident
Ms. Patricia Kelsey	213	full	resident
Dr. William J. Kennedy	189	full	resident
Dr. Alan Kenworthy	32	full	resident
Dr. Hassan Khalili	19	full	resident
Dr. Lee Klas	14	full	nonresident
Ms. Elaine Kufudi	222	full	resident
Ms. Mary Larner-Pardy	232	full	resident
Ms. Mary Lawlor	21	full	resident
Ms. Bernadette Lindemann	287	provisional	resident
Mr. Ross Loomes	183	full	resident
Ms. Nancy I. Lush	87	full	resident
Ms. Lana MacGillivray	288	provisional	resident
Mr. Philip W. MacMillan	116	full	nonresident
Mr. John Mahar	193	full	resident
Ms. Kerry Maidment	252	provisional	resident
Ms. Ruth Mandville	223	full	resident
Mr. Satinder N. Manocha	22	full	resident
Mr. Sam Martin	57	full	resident
Mr. Sheldon McBreairty	82	full	resident
Dr. John McCann	251	provisional	nonresident
Mr. Jerome McCarthy	172	full	resident
Ms. Dale McLean	210	full	resident

THE NEWFOUNDLAND AND LABRADOR GAZETTE

March 8, 2002

Mr. Christopher Mercer	208	full	resident
Mr. Roy D. Mercer	273	provisional	nonresident
Ms. Stephanie Michael	33	full	resident
Ms. Joanne Mills	214	full	nonresident
Ms. Karen Mitchell	285	provisional	resident
Dr. Joseph Moore	96	full	resident
Ms. Helen Moulton	147	full	resident
Dr. Linda Moxley-Haegert	112	full	resident
Ms. Rhoda Mulrooney	295	provisional	resident
Mr. Darryl Murphy	281	provisional	resident
Ms. Lynn T. Murphy	154	full	resident
Ms. Anne Murray	132	full	resident
Dr. Michael Murray	141	full	resident
Dr. Joyce Nicholls-Goudsmid	248	full	resident
Mr. John O'Connell	136	full	resident
Ms. Bonita O'Keefe	113	full	resident
Ms. Lisa D. O'Keefe	190	full	resident
Ms. Nina Ornholt	195	full	nonresident
Ms. Dena L. Orr	34	full	resident
Ms. Bernadette Ottenheimer	237	provisional	resident
Ms. Nadina Ouaida	173	full	resident
Dr. Barbara Palmer	269	full	resident
Mr. Paul Parsons	241	provisional	resident
Ms. Marcellene Parsons-Chaulk	159	full	resident
Ms. Heather E. Conran-Paul	134	full	resident
Mr. James Paul	263	provisional	resident
Mr. Richard Payne	202	full	resident
Mr. Hector Pearce	94	full	resident
Dr. Raymond Penney	15	full	resident
Ms. Heather Pike	239	provisional	nonresident
Mr. Stephen Pinsent	58	full	resident
Ms. Lorraine Pittman	68	full	resident
Ms. Miranda Pond	240	full	resident
Ms. Janet Powell	228	full	resident
Mr. Wade Prior	99	full	resident
Ms. Mary Prowse-Flynn	125	full	resident
Ms. Mary C. Puddister	157	full	resident
Dr. Mary Ricketts	38	full	resident
Ms. Clancy Rideout	255	provisional	resident
Mr. Wayne Rideout	59	full	resident
Mr. Gordon Rodgers	60	full	resident
Ms. Cynthia Rose	238	full	resident
Ms. Patricia Rose	155	full	resident
Mr. James Ross	135	full	nonresident
Mr. Shawn Rumbolt	158	full	resident
Dr. Abdul Hamid Saleemi	72	full	resident
Mr. John R. Scott	16	full	resident
Ms. Tracey Scott	284	provisional	resident
Ms. Patricia M. Shea Hynes	163	full	resident
Dr. Glenn Sheppard	75	full	resident
Mr. Nelson Sheppard	105	full	resident
Ms. Annette Marie Short	138	full	resident
Ms. B. Michelle Short	160	full	resident
Mr. Eric Short	178	full	resident
Ms. Elaine Shortall	45	full	resident
Mr. Anthony Simmonds	174	full	nonresident

THE NEWFOUNDLAND AND LABRADOR GAZETTE

March 8, 2002

Mr. Malcolm Simpson	61	full	resident
Ms. Sophia Slaney	119	full	resident
Ms. Brenda C. Smith	234	provisional	resident
Mr. Danny R. Smith	130	full	resident
Dr. Jodi Spiegel	294	provisional	resident
Ms. Tina Stanley	261	full	resident
Ms. Kelly Steele	283	provisional	resident
Ms. Holly Stephenson	115	full	resident
Ms. Susan Stone	218	full	resident
Ms. Florence Strang Jarvis	216	full	resident
Ms. Heili Strawbridge	35	full	resident
Ms. Kimberley Stuckless	249	provisional	nonresident
Ms. Darlene L. Styles	167	full	resident
Dr. Arthur Sullivan	230	full	resident
Ms. Karen Swinton	110	full	resident
Ms. Beata Szymanska	217	full	resident
Ms. Glenys L. Tilley	277	provisional	resident
Mr. David Touchings	253	provisional	resident
Ms. Madonna Tracey	63	full	resident
Dr. Edna Turpin	122	full	resident
Mr. Stephen van Houten	293	provisional	resident
Dr. Lily Walker	299	full	resident
Mr. Richard Walkley	137	full	resident
Dr. Beaton J. Walsh	203	full	resident
Ms. Anne Wareham	191	full	resident
Dr. Elizabeth Whelan	275	provisional	nonresident
Ms. Catherine Willett	250	provisional	nonresident
Ms. Angela Wilmott	211	full	resident
Dr. David Wolfe	271	full	nonresident
Mr. James Woodrow	18	full	resident
Ms. Fotini Zachariades	291	provisional	resident



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION
FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

Vol. 77

ST. JOHN'S, FRIDAY, MARCH 8, 2002

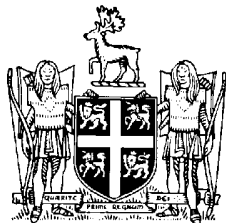
No. 10

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 13/02

NLR 14/02

NLR 15/02



**NEWFOUNDLAND AND LABRADOR
REGULATION 13/02**

*Notice of Protected Water Supply Area
of Big Pond, Elliston
under the
Environment Act*

(Filed March 5, 2002)

Under the authority of section 10 of the *Environment Act*, I designate the area generally known as the *Big Pond Water Supply Area* for the Town of Elliston as a protected water supply area.

Dated at St. John's, February 28, 2002.

Ralph Wiseman
Minister of Environment

NOTICE

This area includes all lands in the Provincial Electoral District of Bonavista South abutted and bounded as follows:

That is to say by a line drawn from Military Grid Reference (Zone 22) 348,000 metres east 5,385,000 metres north 356° 00' Grid Azimuth for a distance of 400 metres to the commencement point;

Then from the above point by a line drawn at 284° 00' Grid Azimuth for a distance of 400 metres;

*Notice of Protected Water Supply Area
of Big Pond, Elliston*

13/02

Then from the above point by a line drawn at 348° 00' Grid Azimuth for a distance of 1,050 metres;

Then from the above point by a line drawn at 40° 00' Grid Azimuth for a distance of 900 metres;

Then from the above point by a line drawn at 110° 00' Grid Azimuth for a distance of 800 metres;

Then from the above point by a line drawn at 157° 00' Grid Azimuth for a distance of 750 metres;

Then from the above point by a line drawn at 229° 00' Grid Azimuth for a distance of 1,300 metres to the point of commencement.

All bearings refer to Grid North.

The *Notice of Protected Water Supply Area of Sandy Cove Brook*, Consolidated Newfoundland and Labrador Regulation 692/96, is repealed.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 14/02**

*Occupational Therapists Regulations
(Amendment)
under the
Occupational Therapists Act*

(Filed March 5, 2002)

Under the authority of section 12 of the *Occupational Therapists Act*, the board, with the approval of the minister, makes the following regulations.

Dated at St. John's, February 21, 2002.

Janice Pelley
Chairperson
Newfoundland and Labrador
Occupational Therapy Board

Julie Bettney
Minister of Health and Community Services

REGULATIONS

Analysis

- | | |
|--|-------------------------------------|
| 1. S.3 Amdt.
Functions of the board | 3. S.6 Amdt.
Provisional licence |
| 2. S.5 R&S
Licensing | |

CNLR1125/96
as amended

1. Paragraph 3(5)(f) of the *Occupational Therapists Regulations* is amended by deleting the words "audited and".

2. (1) Section 5 of the regulations is repealed and the following substituted:

Licensing

5. (1) A person shall be licensed by the board if he or she

- (a) applies in writing;
- (b) pays the prescribed fee at the time of application;
- (c) satisfies the board that he or she
 - (i) has graduated from a Canadian degree program in occupational therapy recognized by the board or has graduated from a World Federation of Occupational Therapists approved school of occupational therapy, and has passed the Canadian Association of Occupational Therapists certification examination, and has at least 1,000 hours of practical occupational therapy experience,
 - (ii) holds an unrestricted practice licence in a board approved Canadian jurisdiction and has graduated from a Canadian degree program recognized by the board or has established practice for 3 consecutive years in a board approved Canadian jurisdiction and meets examination requirements or other equivalencies established by the board, or
 - (iii) has graduated from a board recognized school of occupational therapy prior to December 1, 1985 and has held

an unrestricted licence with the board prior to July 1, 2001;

- (d) has practised with an unrestricted licence in a Canadian jurisdiction approved by the board within the immediate 3 years preceding the application, or has graduated from a school of occupational therapy approved by the board within the 18 months immediately preceding the application, but where a person is otherwise eligible but has not satisfied the board that he or she has met the requirements of this paragraph, he or she shall complete a minimum of 600 hours practice in a clinical occupational therapy facility accredited by the Canadian Association of Occupational Therapists and pass the Canadian Association of Occupational Therapists Certification exam; and
- (e) is a current member of the Canadian Association of Occupational Therapists and the association.

(2) An applicant for licence shall submit to the registrar the prescribed application form and documentation required by the board as evidence of compliance with subsection (1).

(3) An application form shall be considered to be submitted on the date it is posted as evidenced by the postmark.

(4) At the time of application, the applicant shall pay to the board a licensing fee.

(5) Upon receipt of a satisfactory and complete application and receipt of the licensing fee, the registrar shall present the application to the board chairperson for approval or present the application at the next board meeting for approval.

(6) If the application for a licence is approved by the board, the registrar shall

- (a) enter the name of the approved applicant together with the required particulars in the register of licences; and
- (b) issue to the applicant a licence and membership card.

(7) If the board refuses to approve an application,

- (a) the reasons for the refusal shall be stated and the registrar shall promptly notify the applicant in writing of the refusal and the reasons for the refusal;
- (b) shall advise the applicant of this individual's rights of appeal under section 11 of the Act; and
- (c) the registrar shall notify employers if a licence has been denied.

(8) A licence under the Act expires each year on the last day of February unless otherwise specified at the time the licence is issued.

(9) To renew a licence, a member shall submit to the registrar on or before February 14 an application form for renewal of licence, accompanied by

- (a) evidence of practice without restriction on his or her licence in a Canadian jurisdiction approved by the board within the immediate three years preceding the application for renewal;
- (b) payment of the renewal fee; and
- (c) evidence of membership in the association and the Canadian Association of Occupational Therapists.

(10) Where a member fails to renew a licence by February 14,

- (a) that member may have his or her name retained on the register upon payment of a \$40 fine in addition to full payment of the fee paid by March 1; and
- (b) the registrar of the board shall notify the late licensee that his or her renewal of licence is overdue and that failure to pay full payment of the fee and the fine by March 1 will result in the licensee's name being struck from the register on that date.

(11) On March 1 a person whose licence has expired shall have his or her name struck from the register and the registrar shall immediately notify both the person and the employer, by registered mail, that the person is no longer licensed by the board.

(12) The occupational therapist who has allowed his or her licence to expire may re-register by applying for a licence registration as described in subsection (2) and by paying the fine referred to in paragraph (10)(a).

(13) The member's licence may be cancelled or suspended in accordance with section 10 of the Act.

(14) There shall be no refunds of a fee once the licence has been issued and in the event of denial of the application for licence, 50% of the fee shall be refunded.

3. (1) Subsection 6(1) of the regulations is amended by deleting the reference "subsection (2)" and by substituting the reference "subsection 5(2)".

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

(2) Issuing of provisional licences shall not imply the right to continuing membership if the candidate fails to meet the licensing requirements stated in paragraphs 5(1)(c), (d), and (e).

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

(6) The licensing year shall run from March 1 to the last day of February unless otherwise specified at the time the provisional licence is issued.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 15/02**

Waste Management Regulations (Amendment)
under the
Waste Management Act
(O.C. 2002-654)

(Filed March 7, 2002)

Under the authority of section 7 of the *Waste Management Act*,
the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, March 6, 2002.

Deborah E. Fry
Clerk of the Executive Council

REGULATIONS

Analysis

- | | |
|---------------------------------|--|
| 1. S.20 Amdt.
Offence | 25. Supplier registration |
| 2. Ss.21 and 22 R&S | 26. Suspension,
reinstatement and
cancellation |
| PART III
Used Tire Recycling | 27. Security |
| 21. Definitions | 28. Reports |
| 22. Deemed supply | 29. Levy |
| 23. Prohibition | 30. Standards |
| 24. Designation | 31. Agreements |
| | 3. Commencement |

NLR 90/99
as amended

1. (1) Subsection 20(2) of the *Waste Management Regulations* is repealed and the following substituted:

(2) A person who fails to comply with a provision of section 14 or section 29 is guilty of an offence and is liable on summary conviction to a fine equal to

- (a) the amount of the deposits that would have been collected or remitted by the distributor under section 14 had that distributor complied with that section; and
- (b) the amount of the levies that would have been paid or remitted by the supplier under section 29 had that supplier complied with that section.

(2) Section 20 of the regulations is amended by adding immediately after subsection (5) the following:

(6) A person who does not comply with a provision of this Act for which a penalty is not otherwise provided is guilty of an offence and is liable on summary conviction to a fine of not less than \$500 and not more than \$5,000.

2. Sections 21 and 22 of the regulations are repealed and the following substituted:

**PART III
USED TIRE RECYCLING**

Definitions

21. (1) In this Part

- (a) "consumer" means a person who, in the province, is supplied with a new tire for use on a vehicle;
- (b) "highway" means a highway as defined in the *Highway Traffic Act*;
- (c) "new tire" means a tire that is
 - (i) provided with a vehicle, or
 - (ii) provided separately for use on or with a vehicle, and

has been manufactured but not first supplied to a consumer;

- (d) "register" and "registration" means registered under section 25;
- (e) "supplier" means a person who, in the province, supplies new tires to a consumer;
- (f) "supply" means to transfer or offer to transfer a property interest by deed, gift, exchange, barter or a transaction by way of sale, lease, option or rental but does not include a transfer for the sole purpose of creating a security interest within the meaning of the *Personal Property Security Act* or the *Bank Act* (Canada),
- (g) "tire" means a tire that is air filled or designed to be air filled and that is designed for use on the wheel of a vehicle;
- (h) "used tire" means a tire that is post use material and is no longer suitable for its original purpose because of wear, tear, damage, defect or another reason; and
- (i) "vehicle" means a device in, upon or by which a person or property is or may be transported or drawn upon a highway or private road but does not include
 - (i) a motorized wheelchair,
 - (ii) a device moved by human power,
 - (iii) a vehicle to which the *Motorized Snow Vehicles and All Terrain Vehicles Act* applies,
 - (iv) a farm implement or farm machinery not used on a highway, and
 - (v) a device used exclusively on fixed rails.

Deemed supply

22. A supplier who uses or consumes a new tire in the province is considered to have supplied that tire to another person.

Prohibition

23. (1) A person shall not dispose of a tire or a used tire in the province except by disposal

- (a) to a supplier;
- (b) in an area of a waste material disposal site established under the *Waste Material Disposal Act* and approved for that purpose by the minister;
- (c) in another area that the minister designates for the purpose of the disposal of tires.

(2) A supplier shall not refuse to accept tires and used tires for disposal and collection provided that the rate of that tire collection need not exceed the rate of supply of new tires to consumers by that supplier.

(3) In the absence of evidence to the contrary, a tire or a used tire shall be considered to have been disposed of in contravention of subsection (1) where that tire or used tire has been gathered, collected, stockpiled, kept or retained in an area.

(4) Subsections (1) and (3) shall not apply to a tire that is

- (a) in actual use on a vehicle; or
- (b) secondarily used in a manner and for a function for which the tire was not originally designed.

(5) Notwithstanding paragraph 2(i), this section shall apply to a tire or used tire from a vehicle referred to in subparagraphs (iii) and (iv) of that paragraph.

Designation

24. The minister may designate areas within a waste material disposal site established under the *Waste Material Disposal Act* and other areas in the province for the disposal and collection of tires for the purposes of the Act and this Part.

Supplier registration

25. (1) A supplier shall not supply a new tire to a consumer in the province unless that supplier is registered under this section.

(2) The board may, where it considers it to be appropriate, exempt a supplier or a class of suppliers from the application of subsection (1) where, in the opinion of the board, the supply of tires by that supplier or class of suppliers will be reported and levies will be remitted with respect to those tires by another supplier who is registered under this section.

(3) The board may impose terms and conditions with respect to an exemption under subsection (2).

(4) The board may register a supplier where the

(a) supplier makes an application to the board in the form required by the board;

(b) supplier provides to the board the information that the board may require; and

(c) application is accompanied by the fee that the board may establish.

(5) The board may require a supplier who applies for registration under this section to comply with terms and conditions that the board considers to be appropriate before registering that supplier.

(6) Subsections (1) to (5) apply to an application for a renewal or an amendment of a registration under this section.

(7) The board may require a supplier to provide security in the manner and amount that the board may establish.

(8) The board may refuse to issue or amend the registration of a supplier applicant under this section where

(a) the board is satisfied that the applicant has violated a provision of the Act or another Act or regulation of the province or of Canada relating to the disposal, management or handling of tires and used tires;

(b) the board is satisfied that the applicant has not complied with a term or condition imposed upon that applicant as a supplier under these regulations or a registration of that applicant under this section;

(c) the applicant has not provided the security required by the board ; and

(d) a supplier registration previously held by the applicant was revoked by the board within the previous 5 years.

(9) A supplier registration is not transferable.

Suspension, rein-
statement and
cancellation

26. (1) The board may suspend or cancel a registration where

- (a) the board is satisfied that the registered supplier or a person acting under that supplier has violated a provision of the Act or of another Act or regulation of the province or of Canada with respect to the disposal, management or handling of tires or used tires;
- (b) the board is satisfied that the registered supplier or a person acting under that supplier has not complied with a term or condition of that supplier's registration;
- (c) the registered supplier has not provided or maintained security as required under this Part; and
- (d) the board is satisfied that the registered supplier is no longer a supplier.

(2) The board may, with terms and conditions that the board considers appropriate, reinstate a registration that has been suspended.

Security

27. (1) The board may require that an applicant for registration, amendment or reinstatement of registration provide security in the manner and amount that the board may establish.

(2) The amount of security that the board may establish under subsection (1) shall not exceed the amount of the levies that the board reasonably estimates would be remitted under section 29 during a period of 2 months as averaged for a typical year.

(3) Where a supplier does not remit levies in accordance with section 29, security provided by that supplier as required by the board shall be forfeited to the board 14 days after the remittance of the levies is due.

(4) Money forfeited under subsection (3) shall, after deducting costs, be paid to the account of the board.

Reports

28. (1) A supplier shall, at the times and in the form and manner required by the board,

- (a) report the number of tires that the supplier has supplied; and
- (b) maintain a record of a transaction made with respect to a tire for a period of 3 years after that transaction.

(2) A person shall not falsify, make misleading, unlawfully alter, deface, destroy, erase or obliterate a report, record or information required to be made, maintained or kept under this Part.

Levy

29. (1) A supplier shall pay to the board a levy of

- (a) \$3 upon a new tire that has a rim size diameter equal to or less than 43.18 centimetres; and
- (b) \$9 upon a new tire that has a rim size diameter that is greater than 43.18 centimetres and less than 63 centimetres,

that the supplier supplies to a consumer.

(2) A levy referred to in subsection (1) shall be held in trust for the board by the supplier.

(3) A supplier shall remit a levy held in trust under subsection (2) to the board in accordance with an agreement with the board or, in the absence of an agreement, within 7 days after the end of each month in which the supplier has supplied a new tire to a consumer.

(4) Notwithstanding subsection (3), the board may direct the supplier to remit the levy held in trust under subsection (2) and the supplier shall remit the levy not more than 7 days after receiving the direction of the board.

(5) A new tire shall be considered to be supplied where, for the purpose of marketing or sales promotion, the consumer is supplied with the new tire without cost or at a reduced cost.

(6) The board shall use revenue from the collection of levies under this Part for the costs of implementing, operating and administering a tire collection, transportation, recycling, processing, disposal and handling program under this Part.

(7) A supplier shall not ask for or receive from a person a sum intended to represent an amount equivalent to a levy under this section

with respect to the supply of a replacement tire, if no consideration is given for the replacement tire and if the replacement is made because the original tire was defective.

Standards

30. The board may establish standards relating to the distribution, supply, packaging, labelling, use, storage, collection, transportation, recycling, processing, disposal and other handling of tires and used tires in the province.

Agreements

31. (1) The board may enter into an agreement with a person or agency with respect to the collection, transportation, processing and recycling of used tires in the province.

(2) A supplier may enter into an agreement with a person, including a manufacturer or distributor of tires, to act as that supplier's agent with respect to the administration of a program or requirement established under this Part.

Commencement

3. These regulations shall come into force on April 1, 2002.

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