

NOTE: Attached to the end of Part II is a list of Statutes of Newfoundland and Labrador, 2002 as enacted up to Dec. 19, 2002.



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 78

ST. JOHN'S, FRIDAY, JANUARY 10, 2003

No. 2

APPOINTMENTS

Aides-de-Camp

His Honour the Lieutenant Governor, the Honourable Edward Moxon Roberts, is pleased to appoint as honorary Aides-de-Camp the following people:

Mrs. Margot Brown
Inspector Leigh DesRoches
Captain Paul F. Furlong, CD
Inspector Robert Johnston
Major William D. (Bill) Kelly, CD
Mr. Martin Lockyer
Mrs. Deanne Peters
Mr. Geoff Peters
Ms. Jessica Webb
Lieutenant (N) Tony A. K. Young, CD

Dated at St. John's, December 10, 2002.

HONOURABLE EDWARD M. ROBERTS
Lieutenant-Governor

Jan 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	7230M Joanne Stoodley Northwest Pond, Eastern Nfld 2F/ 4
Mineral Licence held by situate near on map sheet	6182M Canadian Magnesium Corporation Baie Verte, Baie Verte Pen. 12H/16
Mineral Licence held by situate near on map sheet	7692M Buchans River Ltd Noel Pauls Brook, Central Nfld 12A/10
Mineral Licence held by situate near on map sheet	6223M Cornerstone Resources Inc. St. Brides, Avalon Peninsula 1L/16

Mineral Licence 7687M
held by Tom Lush
situate near Corner Brook, Western Nfld
on map sheet 12A/13

Mineral Licence 8184M, 8185M
held by Roland Chamberlain
situate near Middle Arm Brook, Baie Verte Pn
on map sheet 12H/ 9

Mineral Licence 8191M
held by John Woodrow
situate near Victoria, Avalon Peninsula
on map sheet 1N/14

A portion of licence 7110M
held by Altius Resources Inc.
situate near Long Island, Central Nfld
on map sheet 2E/12
more particularly described in an application on file at Dept.
of Mines and Energy

The lands covered by this notice except for the lands within Exempt Mineral Lands, the Exempt Mineral Lands being described in Consolidated Newfoundland and Labrador Regulations 1143/96 and Newfoundland and Labrador 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

File # 774: 2903, 3150, 3169, 3170,
3638, 3691, 4049, 4379, 4381

Jan 10

URBAN AND RURAL PLANNING ACT

NOTICE OF REGISTRATION TOWN OF COME BY CHANCE MUNICIPAL PLAN AND DEVELOPMENT REGULATIONS

Take notice that the Town of Come By Chance Municipal Plan and Development Regulations, adopted on the 2nd day of October, 2001, and approved on the 2nd day of

October, 2001, has been registered by the Minister of Municipal and Provincial Affairs.

The Town of Come by Chance Municipal Plan and Development Regulations 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 Town of Come By Chance Municipal Plan and Development Regulations may do so at the Town Office, Come By Chance during normal working hours.

TOWN OF COME BY CHANCE
Town Clerk

Jan 10

NOTICE OF REGISTRATION TOWN OF ST. GEORGE'S MUNICIPAL PLAN AMENDMENT NO. 4, 2002 AND DEVELOPMENT REGULATIONS AMENDMENT NO. 5, 2002

Take notice that the Town of St. George's Municipal Plan Amendment No. 4, 2002 and Development Regulations Amendment No. 5, 2002, adopted on the 22nd day of May, 2002, (as amended) and approved on the 18th day of November, 2002, has been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of Municipal Plan Amendment No. 4 and Development Regulation No. 5 is to allow accessory buildings and boat haulouts and sheds in the Sensitive Shore Zones where the abutting designations are Rural Residential or Residential and all other approvals have been obtained.

The St. George's Municipal Plan Amendment No. 4, 2002 and Development Regulations Amendment No. 5, 2002, 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 St. George's Municipal Plan Amendment No. 4, 2002 and Development Regulations Amendment No. 5, 2002 may do so at the Town Office during normal working hours.

TOWN OF ST. GEORGE'S
Town Clerk

Jan 10

**TRUSTEE ACT
ESTATE NOTICE**

**IN THE MATTER OF the Estate and Effects of
George Neil, Widower, Retired Stevedore, Late of the
Town of Channel-Port aux Basques, District of Burgeo
LaPoile, Province of Newfoundland and Labrador,
Canada, Deceased.**

All persons claiming to be creditors of or who have any claims or demands either as beneficiaries or next-of-kin, (by blood, legal adoption or marriage) upon or affecting the Estate of George Neil, Widower, Retired Stevedore, deceased, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned solicitors for the Executors of the estate of the said deceased on or before the 3rd day of February, 2003, after which date the said Executors will proceed to distribute the said estate having regard only to the claims to which they shall then have had notice.

DATED at the Town of Channel, Port Aux Basques, Province of Newfoundland and Labrador, this 3rd day of January, 2003.

STAGG, MARKS & PARSONS
Solicitors for the Executors

ADDRESS FOR SERVICE:

P. O. Box 640
35 Main Street
Port Aux Basques, NL
A0M 1C0

Jan 10

**LANDS ACT
NOTICE OF INTENT**

Lands Act, Chapter 36, S.N. 1991

Notice is hereby given that the Department of Municipal and Provincial Affairs 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, all that piece or parcel of Crown Land situated within fifteen metres of the waters of Long Lake (Pond), Burnt Island, in the Electoral District of Burgeo & LaPoile, for the purpose of an Industrial Water System and more particularly described as follows:

*Bounded on the North by the
waters of Long Lake (Pond)
for a distance of fifteen (15) metres;
Bounded on the East and South East by
Reservation and Crown Land*

*for a distance of four hundred and
eighty-three (483) metres;
Bounded on the West and Northwest
by waters of Long Lake (Pond)
for a distance of four hundred and
eighty-three (483) metres;
Bounded on the Southwest by Reservation
for a distance of fifteen (15) m;
and containing an area of
approximately 0.725 hectares..*

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, Crown Lands Office, Noton Building, P. O. Box 2006, Corner Brook, Newfoundland & Labrador, A2H 6J8

For further information regarding the proposed application, please contact Mr. Jerry Locke, Engineering Division, Department of Municipal & Provincial Affairs, Corner Brook, NL, (709) 637-2332.

Jan 10

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:-

WALTER G. JEANS

of P. O. Box 50, Codroy, A0N 1H0, in the Province of Newfoundland and Labrador, as follows:

To change my name from

WALTER GARRY JEANS
to
WALTER GARRY JANES

DATED this 3rd day of January, 2003.

WALTER G. JEANS
(Signature of Applicant)

Jan 10

**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:-

SAMSON TADELE TAMIRU

of 520 Charter Avenue, St. John's A1C 3K7, in the Province of Newfoundland and Labrador, as follows:

To change my name from

SAMSON TADELE TAMIRU

to

SAMSON TADELE MERSHA

DATED this 7th day of January, 2003.

SAMSON TAMIRU
(Signature of Applicant)

Jan 10



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

Vol. 78

ST. JOHN'S, FRIDAY, JANUARY 10, 2003

No. 2

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 1/03

NLR 2/03

NLR 3/03

NLR 4/03

NLR 5/03



NEWFOUNDLAND AND LABRADOR REGULATION 1/03

Mistaken Point Extension Emergency Ecological Reserve Order
under the
Wilderness and Ecological Reserves Act

(Filed January 6, 2003)

Under the authority of section 22 of the *Wilderness and Ecological Reserves Act*, I make the following regulations.

Dated at St. John's, December 20, 2002.

Julie Bettney
Minister of Tourism, Culture and Recreation

REGULATIONS

Analysis

- | | |
|------------------|----------|
| 1. Short title | |
| 2. Area included | Schedule |

Short title

1. These regulations may be cited as the *Mistaken Point Extension Emergency Ecological Reserve Order*.

Area included

2. The Mistaken Point Extension Emergency Ecological Reserve is established and the area included for the purpose of protecting the oldest known Ediacaran fossils in the world is set out in the Schedule.

Schedule

All that piece or parcel of land situate and being at Mistaken Point in the Province of Newfoundland and Labrador, in the Electoral District of Ferryland, abutted and bounded as follows, that is to say:

Beginning at a point being the most northwesterly corner of Mistaken Point Ecological Reserve and having scaled UTM NAD83 co-ordinates of north 5,167,635 metres and east 329,780 metres;

Then running by the northern boundary of the Mistaken Point Ecological Reserve in a southeasterly direction for a distance of 1,560 metres more or less to a point having scaled UTM NAD83 co-ordinates of north 5,166,420 metres and east 330,755 metres;

Then turning and running in a northwesterly direction for a distance of 3,050 metres more or less to a point having scaled UTM NAD83 co-ordinates of north 5,169,345 metres and east 329,885 metres, and being in the westerly limit of the road, 20.0 metres wide, leading to Cape Race;

Then running along the westerly limit in a general northwesterly direction to a point having scaled UTM NAD83 co-ordinates of north 5,171,285 metres and east 328,495 metres, and being at the point of intersection of the westerly limit of the road with the southerly bank of Whalens River;

Then turning and running along the southerly bank of Whalens River in a general westerly direction to a point having scaled UTM NAD83 co-ordinates of north 5,171,315 metres and east 328,380 metres, and being on the easterly shoreline of Trepassey Bay at low tide;

Then turning and running along the sinuosities of the easterly shoreline of Trepassey Bay, at low tide, in a general southerly direction to the point of beginning;

The above described piece or parcel of land containing an area of 270 hectares, more or less.

All co-ordinates being referred to Zone 22 of the Universal Traverse Mercator Projection as scaled from topographic map 1K / 11.

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NEWFOUNDLAND AND LABRADOR REGULATION 2/03

Rules of the Supreme Court, 1986 (Amendment)
under the
Judicature Act

(Filed January 6, 2003)

Under the authority of section 55 of the *Judicature Act*, the Rules Committee of the Court of Appeal makes the following Rules.

Dated at St. John's, December 30, 2002.

Barry R. Sparkes, B.C.L.
Registrar of the Supreme Court
Secretary, Rules Committee

RULES

Analysis

- | | |
|--|---|
| 1. Rule 57.02 Amdt.
Leave to Appeal | 2. Rule 57.31 Amdt.
Miscellaneous Powers |
|--|---|

1. (1) Rule 57.02(1) of the *Rules of the Supreme Court, 1986* is repealed and the following substituted:

Leave to Appeal

57.02. (1) Leave to appeal shall be obtained by application to the Court where

- (a) during the course of a proceeding or prior to a final order, a party seeks to appeal from an interlocutory order, or

(b) a party seeks to appeal from an order

(i) as to costs only, or

(ii) made by the consent of the parties.

(2) Rule 57.02 of the Rules is amended by adding immediately after Rule 57.02(1) the following:

(1.1) A failure to obtain leave to appeal or to make an application under paragraph (1)(a) does not prejudice the right of a party to appeal a final order.

2. Rule 57.31 of the Rules is amended by adding immediately after rule 57.31(1) the following:

(1.1) Where the Registrar considers it necessary, the Registrar may apply to the Court for directions respecting the conduct of a pending appeal.

(1.2) Where an application is made under rule (1.1), the Registrar shall give notice to the parties.

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NEWFOUNDLAND AND LABRADOR REGULATION 3/03

Medical Board Regulations (Amendment)
under the
Medical Act

(Filed January 7, 2003)

Under the authority of section 13 of the *Medical Act*, the Newfoundland Medical Board, with the approval of the Minister of Health and Community Services, makes the following regulations.

Dated at St. John's, December 19, 2002.

Robert Young
Registrar, Newfoundland Medical Board

Gerald Smith
Minister of Health and Community Services

REGULATIONS

Analysis

1. S.5 Amdt.
Provisional licence

CNLR 1113/96
as amended

1. (1) Subparagraph 5(2)(c)(i) of the *Medical Board Regulations* is repealed and the following substituted:

- (i) satisfactorily completed the evaluating examination of the Medical Council of Canada, according to the standard in subsection (2.1), not more than 5 years immediately before the date of making the application for a licence, or

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

(2.1) For the purposes of paragraph (2)(c), a person is considered to have satisfactorily completed the evaluating examination of the Medical Council of Canada,

- (a) where he or she wrote that examination before May 1, 2002, if he or she obtained
 - (i) a grade of not less than 60% in each of the Medicine, Obstetrics and Gynaecology, Pediatrics, Psychiatry and Surgery sections,
 - (ii) a grade of not less than 50% in the Preventive Medicine and Community Health section, and
 - (iii) an overall grade of not less than 60% for all sections of that examination; or
- (b) where he or she wrote that examination on or after May 1, 2002, if he or she obtained
 - (i) a score of not less than 373 in the Medicine section,
 - (ii) a score of not less than 379 in the Pediatrics section,
 - (iii) a score of not less than 359 in the Psychiatry section,
 - (iv) a score of not less than 380 in the Obstetrics and Gynaecology section,
 - (v) a score of not less than 388 in the Surgery section,
 - (vi) a score of not less than 376 in the Preventive Medicine and Community Health section, and

(vii) an overall score of not less than 382 for all sections of that examination.

(3) Subsections 5(9), (10) and (11) of the regulations are repealed.

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NEWFOUNDLAND AND LABRADOR REGULATION 4/03

Town of Great Harbour Deep Disincorporation Order
under the
Municipalities Act, 1999
(O.C. 2003-001)

(Filed January 7, 2003)

Under the authority of section 3 of the *Municipalities Act, 1999* the Lieutenant Governor in Council, upon the recommendation of the Minister of Municipal and Provincial Affairs, makes the following Order.

Dated at St. John's, January 7, 2003.

Deborah E. Fry
Clerk of the Executive Council

ORDER

Analysis

- | | |
|-------------------------|-------------------|
| 1. Short title | 3. Repeal |
| 2. Town disincorporated | 4. Effective date |

Short title

1. This Order may be cited as the *Town of Great Harbour Deep Disincorporation Order*.

Town disincorporated

2. The Town of Great Harbour Deep is disincorporated.

*Town of Great Harbour Deep
Disincorporation Order*

4/03

Repeal
Effective date

3. The *Town of Great Harbour Deep Order, Consolidated Newfoundland and Labrador Regulation 182/96*, is repealed.

4. This Order shall be considered to have come into effect on December 1, 2002.

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NEWFOUNDLAND AND LABRADOR REGULATION 5/03

Waste Management Regulations (Amendment)
under the
Environmental Protection Act
(O.C. 2002-649)

(Filed January 7, 2003)

Under the authority of section 111 of the *Environmental Protection Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, January 6, 2003.

Deborah E. Fry
Clerk of the Executive Council

REGULATIONS

Analysis

1. S.3 Amdt.
Composition of the board

NLR 90/99
as amended

1. Subsections 3(1) and (2) of the *Waste Management Regulations* are repealed and the following substituted:

Composition of the
board

- 3. (1) The board shall consist of**

- (a) the deputy minister of the Department of Environment, who may designate an employee of that department to act in his or her place; and
 - (b) not fewer than 7 other members appointed by the minister.
- (2) The members of the board appointed by the minister shall include
- (a) one representative of distributors under Part II;
 - (b) one representative of consumers;
 - (c) one representative of the Newfoundland and Labrador Federation of Municipalities; and
 - (d) 4 or more representatives-at-large, one of whom shall be a resident of Labrador.

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PART II

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Judicature Act			
Rules of the Supreme Court, 1986 (Amdt)	NLR 2/03	Rules 57.02 & 57.31 Amdt.	Jan 10/03, p. 7
Medical Act			
Medical Board Regulations (Amdt)	NLR 3/03	Amends CNLR 1113/96 S.5 Amdt..	Jan 10/03, p. 9
Municipalities Act, 1999			
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Wilderness and Ecological Reserves Act			
Mistaken Point Extension Emergency Ecological Reserve Order	NLR 1/03	New	Jan 10/03, p. 5

The Newfoundland and Labrador Gazette is published from the office of Earl G. Tucker, Queen's Printer.

Copy for publication must be received before **Friday, 4:30 p.m.**, seven days before publication, to ensure inclusion in next issue. Advertisements should be typewritten or printed legibly, separate from covering letter. Number of insertions required must be stated and the names of all signing officers typewritten or printed.

Advertising rates are available upon request. Subscription rate for *The Newfoundland and Labrador Gazette* is \$125.00 for 52 weeks plus applicable tax (\$133.75). Weekly issues of \$3.00 per copy, plus tax payable in advance.

All cheques, money orders, etc., should be made payable to THE NEWFOUNDLAND EXCHEQUER ACCOUNT and all correspondence should be addressed to: Office of the Queen's Printer, P. O. Box 8700, Ground Floor, East Block, Confederation Building, St. John's, NL A1B 4J6. Telephone: (709) 729-3649. Fax: (709) 729-1900.

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**STATUTES OF NEWFOUNDLAND AND LABRADOR
2002**

Bill	Act	Chapter
2001	Third Session, 44th General Assembly 51 Elizabeth II, 2002	2002
*65	<i>Fishery Products International Limited (Amendment) Act</i>	1
*49	<i>Access to Information and Protection of Pri- vacy Act</i>	A-1.1
	(ASSENTED TO MARCH 14, 2002)	
2002	Fourth Session, 44th General Assembly 51 Elizabeth II, 2002	2002
2	<i>Interim Supply Act, 2002</i>	2
	(ASSENTED TO MARCH 26, 2002)	
3	<i>Supply Act, 2002</i>	3
5	<i>Tobacco Tax (Amendment) Act</i>	4
6	<i>Income Tax (Amendment) Act, 2000</i>	5
*4	<i>Water Resources Act</i>	W-4.01
*1	<i>Environmental Protection Act</i>	E-14.2
	(ASSENTED TO MAY 22, 2002)	
9	<i>Automobile Insurance (Amendment) Act</i>	6
	(ASSENTED TO DECEMBER 16, 2002)	
8	<i>Supplementary Supply Act, 2001-2002</i>	7
18	<i>City of St. John's (Amendment) Act</i>	8
19	<i>City of St. John's (Loan) (Amendment) Act, 1978</i>	9
*27	<i>Forestry (Amendment) Act</i>	10

Bill	Act	Chapter
*20	<i>Highway Traffic (Amendment) Act No. 2</i>	11
15	<i>Highway Traffic (Amendment) Act</i>	12
*12	<i>Student Financial Assistance Act</i>	S-29.01
14	<i>Adoption (Amendment) Act</i>	13
*13	<i>Public Service Pensions (Amendment) Act, 1991</i>	14
16	<i>Gasoline Tax (Amendment) Act</i>	15
25	<i>Access to Information (Amendment) Act</i>	16
*29	<i>Highway Traffic (Amendment) Act No. 3</i>	17
26	<i>Teachers' Association (Amendment) Act</i>	18
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30	<i>Interjurisdictional Support Orders Act</i>	I-19.2
31	<i>Fishing Industry Collective Bargaining (Amendment) Act</i>	20
*23	<i>Income and Employment Support Act</i>	I-0.1
33	<i>Medical Association Agreement Act</i>	M-4.1
21	<i>Mining and Mineral Rights Tax Act, 2002</i>	M-16.1
7	<i>Loan Act, 2002</i>	21

(ASSENTED TO DECEMBER 19, 2002)

* Bills amended in Committee of the Whole House.

In researching the law readers should note that the following Statutes of Newfoundland and Labrador, 2002 include amendments to other Statutes as listed below:

Chapter A-1.1	<u><i>Access to Information and Protection of Privacy Act</i></u> - (To Be Proclaimed) <i>Adoption Act</i> <i>Auditor General Act</i> <i>Citizens' Representative Act</i> <i>Freedom of Information Act</i> (Repealed) <i>House of Assembly Act</i>
Chapter 16	<u><i>Access to Information (Amendment) Act</i></u> <i>Citizens' Representative Act</i>
Chapter E-14.2	<u><i>Environmental Protection Act</i></u> <i>Environment Act</i> (Repealed) <i>Environmental Assessment Act, 2000</i> (Repealed) <i>Municipalities Act, 1999</i> <i>Pesticides Control Act</i> (Repealed) <i>Waste Management Act</i> (Repealed) <i>Waste Material Disposal Act</i> (Repealed)
Chapter I-0.1	<u><i>Income and Employment Support Act</i></u> (To Be Proclaimed) <i>Access to Information and Protection of Privacy Act</i> <i>Automobile Insurance Act</i> <i>Citizens' Representative Act</i> <i>Family Law Act</i> <i>Health and Community Services Act</i> <i>Jury Act, 1991</i> <i>Proceedings Against the Crown Act</i> <i>Reciprocal Enforcement of Support Orders</i> <i>Rehabilitation Act</i> (Repealed) <i>Social Assistance Act</i> (Repealed) <i>Social Services Appeal Board Act</i> (Repealed) <i>Support Orders Enforcement Act</i> <i>Home Support Regulations, CNLR 1020/96</i> <i>Social Assistance Civil Legal Aid Regulations, CNLR 764/96</i> <i>Social Assistance Regulations, CNLR 1027/96</i>
Chapter I-19.2	<u><i>Interjurisdictional Support Orders Act</i></u> (To Be Proclaimed) <i>Support Orders Enforcement Act</i> <i>Reciprocal Enforcement of Support Orders Act</i> (Repealed)
Chapter M-16.1	<u><i>Mining and Mineral Rights Tax Act, 2002</i></u> <i>Mining and Mineral Rights Tax Act</i> (Repealed)

Chapter S-29.01	<u><i>Student Financial Assistance Act</i></u> <i>Student Assistance Act (Repealed)</i>
Chapter W-4.01	<u><i>Water Resources Act</i></u> <i>City of Corner Brook Act</i> <i>City of Mount Pearl Act</i> <i>City of St. John's Act</i> <i>Crown Lands Act (Repealed)</i> <i>Expropriation Act</i> <i>Hydro Corporation Act</i> <i>Mineral Act</i> <i>Municipalities Act, 1999</i> <i>Water Resources Protection Act (Repealed)</i> <i>Well Drilling Act (Repealed)</i>

This list was prepared by the Office of the Legislative Counsel.

Questions or omissions should be brought to the attention of that Office.