



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 78

ST. JOHN'S, FRIDAY, JANUARY 24, 2003

No.4

PUBLIC NOTICE GOVERNMENT OF NEWFOUNDLAND AND LABRADOR

The Lieutenant-Governor in Council has referred the following questions to the Court of Appeal of Newfoundland and Labrador, pursuant to section 13 of the *Judicature Act*, R.S.N.L. 1990, c. J-4, for hearing and consideration:

1. Is the *Tobacco Health Care Costs Recovery Act*, S.N.L. 2001, c. T-4.2, or any provision thereof, inconsistent with the Constitution Acts, 1867 to 1982, and if so, in what particulars and to what extent?
2. Is the *Tobacco Health Care Costs Recovery Act*, or any provision thereof, *ultra vires* the legislative power of the Government of Newfoundland and Labrador, and if so, in what particulars and to what extent?
3. Does the *Tobacco Health Care Costs Recovery Act*, or any provision thereof, result in unconstitutional interference with the independence of the judiciary, and if so, in what particulars and to what extent?

Any person wishing to be heard on this Reference as an interested person pursuant to section 17 of the *Judicature Act*, should file an Application to Intervene with the Supreme Court of Newfoundland and Labrador, Court of Appeal, by March 31, 2003.

ATTORNEY GENERAL FOR
NEWFOUNDLAND AND LABRADOR
Department of Justice

ADDRESS FOR SERVICE:
4th Floor, East Block, Confederation Building
P.O. Box 8700
St. John's, Newfoundland and Labrador
A1B 4J6

Jan 24 & 31

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	5843M Atlantic Salt Corporation Fischells Brook, Western Nfld 12B/ 7
Mineral Licence held by situate near on map sheet	5854M Copper Hill Resources Inc. Crooked Lake, Central Nfld 12H/ 1
Mineral Licence held by situate near on map sheet	5856M First Labrador Acquisitions Inc. Micmac Lake, Baie Verte Penin. 12H/ 9

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Mineral Licence held by	7226M Newfoundland Mining & Exploration Ltd.
situate near on map sheet	Buchans Area, Central Nfld 12A/14
Mineral Licence held by	7223M Newfoundland Mining & Exploration Ltd.
situate near on map sheet	Red Indian Lake, Central Nfld 12A/15
Mineral Licence held by	6285M GT Exploration Ltd
situate near on map sheet	Red Indian Lake, Central Nfld 12A/15
Mineral Licence held by	6302M Krinor Resources Inc.
situate near on map sheet	Goobies, Avalon Peninsula 1N/13
Mineral Licence held by	6307M Buchans River Ltd
situate near on map sheet	Red Indian Lake, Central Nfld 12A/15
Mineral Licence held by	8215M John R. Hurley
situate near on map sheet	St. Jones Within, Eastern Nfld 2C/4
Mineral Licence held by	7062M Gerald Pardy
situate near on map sheet	Great Gull Pond, Central Nfld 12H/1
Mineral Licence held by	8221M Jonathan Bailey
situate near on map sheet	Deep Bight, Eastern Nfld 2C/4
Mineral Licence held by	8222M Commander Resources Ltd.
situate near on map sheet	East of Notakwanon River 13M/9, 13M/10
Mineral Licence held by	8225M Commander Resources Ltd.
situate near on map sheet	Notakwanon River 13M/15

Mineral Licence held by	8223M, 8224M Commander Resources Ltd.
situate near on map sheet	Notakwanon River 13M/16
Mineral Licence held by	8226M Gus Finn
situate near on map sheet	Tickle Harbour, Avalon Penin 1N/12
A portion of licence held by	6509M Tagalder/Regal
situate near on map sheet	Orphan Island 14F/3
more particularly described in an application on file at Dept. of Mines and Energy	
A portion of licence held by	8241M Roy French
situate near on map sheet	Long Harbour, Avalon Peninsula 1N/5, 1N/12
more particularly described in an application on file at Dept. of Mines and Energy	
All that portion of Ground Staked Licence held by	4548 Newfoundland Mining & Exploration Ltd.
situate near on map sheet	Red Indian Lake, Central Nfld 12A/15
not covered by new Converted Mapped Staked Licence 9251M	

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
Manager - Mineral Rights

File # 771:2646
774:2270, 2939, 2945, 2947, 3203, 3204, 3215,
3218, 3658, 3664, 4401, 4402, 4403, 4412

Jan 24

URBAN AND RURAL PLANNING ACT

**NOTICE OF REGISTRATION
TOWN OF PARADISE
MUNICIPAL PLAN AMENDMENT NO.31, 2002
AND DEVELOPMENT REGULATIONS
AMENDMENT NO. 39, 2002**

Take notice that the Town of Paradise Municipal Plan Amendment No. 31, 2002 and Development Regulations Amendment No. 39, 2002, adopted on the 10th day of December, 2002 (as amended) and approved on the 7th day of January, 2003, have been registered by the Minister of Municipal and Provincial Affairs.

In general terms the purpose of the Municipal Plan Amendment No. 31, 2002 is to re-designate the land from Residential to Local Commercial to accommodate the development of a commercial daycare operation at the northwest quadrant of Karwood Drive and Hummingbird Road.

In general terms, the purpose of Development Regulations Amendment No. 39, 2002 is to rezone the parcel of land situated at the north-west quadrant of Karwood Drive and Hummingbird Road from Residential Medium Density to Commercial Local.

The Town of Paradise Municipal Plan Amendment No. 31, 2002 and Development Regulations Amendment No. 39, 2002 come into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone wishing to inspect a copy of the Town of Paradise Municipal Plan Amendment No. 31, 2002 and Development Regulations Amendment No. 39, 2002 may do so at the Town Office, 1655 Topsail Road, Paradise, during normal working hours.

TOWN OF PARADISE
Town Clerk

Jan 24

**NOTICE OF REGISTRATION
TOWN OF GRAND FALLS- WINDSOR
MUNICIPAL PLAN AMENDMENTS
NO. 23 & 24, 2002
DEVELOPMENT REGULATIONS
AMENDMENTS NO. 28 & 29, 2002**

TAKE NOTICE that the Town of Grand Falls – Windsor Municipal Plan Amendments No. 23 & 24, 2002 and Development Regulations Amendments No. 28 & 29, 2002

adopted on the 29th of October, 2002, have been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of Municipal Plan Amendment No. 23 is to re-designate approximately 0.3 hectares of land at 25 Pondview Drive and 0.3 hectares of land east of 25 Pondview Drive from “Residential” to “Industrial” to allow for expansion of an existing business.

The purpose of Municipal Plan Amendment No. 24 is to re-designate approximately 0.7 hectares of land east of Scott Avenue and south of Grenfell Heights from “Rural” to “Residential” to accommodate a residence with on site services.

The purpose of Development Regulations Amendment No. 28 is to re-zone approximately 0.3 hectares of land at 25 Pondview Drive and 0.3 hectares of land east of 25 Pondview Drive from “Residential Medium Density” (R3) to “Industrial Light” to allow for expansion of an existing business.

The purpose of Development Regulations Amendment No. 29 is to re-zone approximately 0.7 hectares of land east of Scott Avenue and south of Grenfell Heights from “Rural” to “Residential Large Lot” (unserviced) (R5) to accommodate a residence with on site services.

The Town of Grand Falls – Windsor Municipal Plan Amendments No. 23 and 24, 2002 and Development Regulations Amendments No. 28 and 29, 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 these regulations may do so at the Town Office, 5 High Street, Grand Falls – Windsor, during normal working hours.

TOWN OF GRAND FALLS-WINDSOR
Elizabeth Power, Engineering Clerk

Jan 24

**NOTICE OF REGISTRATION
TOWN OF ST. ANTHONY
MUNICIPAL PLAN AMENDMENT NO. 1, 2002
AND DEVELOPMENT REGULATIONS
AMENDMENT NO. 1, 2002**

Take notice that the Town of St. Anthony Municipal Plan Amendment No. 1, 2002 and Development regulations Amendment No. 1, 2002 adopted on the 8th day of October, 2002 (as amended) and approved on the 6th day of December, 2002, has been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of Municipal Plan Amendment No. 1, 2002 is to accommodate the development of a new hotel.

In general terms, the purpose of Development Regulations Amendment No. 1, 2002 is to implement the St. Anthony Municipal Plan Amendment No. 1, 2002 which is being adopted to accommodate the development of a new hotel.

The 2002 Municipal Plan Amendment No. 1, 2002 and Development Regulations Amendment No. 1, 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 2002 Municipal Plan Amendment No. 1, 2002 and Development Regulations Amendment No. 1, 2002 may do so at the Town Office, Monday through Friday, during normal working hours.

TOWN OF ST. ANTHONY
Town Clerk

Jan 24

**NOTICE OF REGISTRATION
TOWN OF BURIN
DEVELOPMENT REGULATIONS
AMENDMENT NO. 6, 2002**

Take notice that the Town of Burin Development Regulations Amendment No. 6, 2002 adopted on the 9th day of December 2002, has been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of Development Regulations Amendment No. 6, 2002 is to increase the minimum floor area of a residential accessory building in the Residential, Residential Medium Density, Seasonal Residential, Mixed Development and Commercial Neighborhood zones. With the exception of Residential Seasonal zone this amendment will permit accessory buildings to be erected up to a maximum floor area of 80% of the lot coverage of a dwelling provided that the total coverage of all buildings, dwelling and accessory buildings together, does not exceed 33%. This will exempt cold frames, gazebos, greenhouses and swimming pools from the maximum floor area requirements. In respect of the Residential Seasonal zone, a maximum floor area of 70 square meters is established. The rear and side yard setbacks are established at 5 meters and the total lot coverage is set at 33%. However, aircraft hangars will be permitted up to a maximum of 130 sq. meters - 1,399 square feet - but still be within the 33% lot coverage maximum.

The Town of Burin Development Regulations Amendment No. 6, 2002 comes 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 Burin Development Regulations Amendment No. 6, 2002 may do so at the Town Office during normal working hours - Monday - Friday, 8:30 a.m. - 4:30 p.m.

TOWN OF BURIN
Town Clerk

Jan 24

**TRUSTEE ACT
ESTATE NOTICE**

IN THE MATTER OF the Estate and Effects of Alfred George Dawe, late of the City of St. John's, in the Province of Newfoundland and Labrador, Pharmacist.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Alfred George Dawe, late of the City of St. John's, in the Province of Newfoundland and Labrador, are hereby requested to send particulars of the same in writing, duly attested, to the undersigned, Solicitors for the Executor of the Estate on or before the 28th day of February, 2003, after which date the said Executor will proceed to distribute the said Estate having regard only to the claims of which he shall then have had notice.

DATED at the City of St. John's, Province of Newfoundland and Labrador, this 9th day of January, 2003.

O'DEA, EARLE
Solicitors for the Executor

ADDRESS FOR SERVICE:
323 Duckworth Street
P. O. Box 5955
St. John's, NF A1C 5X4

Jan 24

ESTATE NOTICE

IN THE MATTER OF the Estate and Effects of Mary Ann Dawe, late of Goulds, in the Province of Newfoundland and Labrador.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Mary Ann Dawe, late of Goulds, in the Province of Newfoundland and Labrador, are hereby requested to send particulars of same in writing, duly attested, to the undersigned, Solicitors for the Executor of the Estate on or before the 14th day of

February, 2003, after which date the said Executor will proceed to distribute the said Estate having regard only to the claims of which he shall then have had notice.

DATED at the City of St. John's, Province of Newfoundland and Labrador, this 13th day of January, 2003.

O'DEA, EARLE
Solicitors for the Executor
Per: Annette Stringer

ADDRESS FOR SERVICE:

323 Duckworth Street
P. O. Box 5955
St. John's, NL A1C 5X4

Jan 24

ESTATE NOTICE

IN THE MATTER OF the Estate and Effects of Thomas Joseph Dawe, late of Torbay, in the Province of Newfoundland and Labrador.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Thomas Joseph Dawe, late of Torbay, in the Province of Newfoundland and Labrador, are hereby requested to send particulars of same in writing, duly attested, to the undersigned, Solicitors for the Executor of the Estate on or before the 14th day of February, 2003, after which date the said Executor will proceed to distribute the said Estate having regard only to the claims of which he shall then have had notice.

DATED at the City of St. John's, Province of Newfoundland and Labrador, this 13th day of January, 2003.

O'DEA, EARLE
Solicitors for the Executor
Per: Annette Stringer

ADDRESS FOR SERVICE:

323 Duckworth Street
P. O. Box 5955
St. John's, NL A1C 5X4

Jan 24

ESTATE NOTICE

IN THE MATTER OF the Estate and Effects of Robert John Barnes, late of Trouty, in the Province of Newfoundland and Labrador.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Robert

John Barnes, late of Trouty, in the Province of Newfoundland and Labrador, are hereby requested to send particulars of same in writing, duly attested, to the undersigned, Solicitors for the Executrix of the Estate on or before the 14th day of February, 2003, after which date the said Executrix will proceed to distribute the said Estate having regard only to the claims of which she shall then have had notice.

DATED at the City of St. John's, Province of Newfoundland and Labrador, this 13th day of January, 2003.

O'DEA, EARLE
Solicitors for the Executrix
Per: John Barrett

ADDRESS FOR SERVICE:

323 Duckworth Street
P. O. Box 5955
St. John's, NL A1C 5X4

Jan 24

ESTATE NOTICE

IN THE MATTER OF the Estate and Effects of Joseph Drodge, late of Clarenville, in the Province of Newfoundland and Labrador, deceased.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Joseph Drodge, late of the Town of Clarenville, in the Province of Newfoundland and Labrador, deceased, are hereby requested to send particulars of same in writing, duly attested, to the undersigned, Solicitors for the Executor of the estate on or before the 3rd day of February, 2003, after which date the said Executor will proceed to distribute the said estate having regard only to the claim of which he shall then have had notice.

DATED at Clarenville, in the Province of Newfoundland and Labrador, this 14th day of January, 2003.

MILLS, HUSSEY & PITTMAN
Solicitors for the Executor
Per: Corwin Mills, Q.C.

ADDRESS FOR SERVICE:

P. O. Box 970
Manitoba Professional Building
Manitoba Drive
Clarenville, NL
A0E 1J0

Jan 24

ESTATE NOTICE

IN THE MATTER OF the Estate of Agatha Walsh late, of the Town of Stephenville Crossing, in the Province of Newfoundland and Labrador, pensioner, widow, deceased:

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Agatha Walsh, late of the Town of Stephenville Crossing, in the Province of Newfoundland and Labrador, deceased, are hereby requested to send particulars of the same in writing, duly attested, to the undersigned Solicitor for the Administrator of the Estate on or before the 15th day of February, 2003, after which date the said Administrator will proceed to distribute the said Estate having regard only to the claims of which notice shall have been received..

DATED at Stephenville, Newfoundland and Labrador, this 14th day of January, 2003.

MARIE MARCHE-WHITE
Solicitor for the Administrator
Per: Marie Marche-White

ADDRESS FOR SERVICE:

P. O. Box 272
43 Main Street
Stephenville, NL
A2N 2Z4

Jan 24

ESTATE NOTICE

IN THE MATTER OF the Estate of Wilfred Mesher, late of St. Anthony, in the Electoral District The Straits and White Bay North, the Province of Newfoundland and Labrador, Widower, Retired Medical Electronics Technician, Deceased.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Wilfred Mesher late of St. Anthony, aforesaid, deceased, are hereby requested to send particulars therein in writing, duly attested to Deanne M. Penney, PATTERSON PALMER, at Scotia Centre, 235 Water Street, P. O. Box 610, St. John's, Newfoundland, Solicitors for the estate of the deceased on or before the 15 February, 2003, after which date the Solicitors will proceed to distribute the said estate having regard only to the claims which they shall then have had notice.

DATED at St. John's this 10th day of January, 2003.

PATTERSON PALMER
Solicitors for the Estate of Wilfred Mesher
Per: Deanne M. Penney

ADDRESS FOR SERVICE:

10th Floor, Scotia Centre
235 Water Street, P. O. Box 610
St. John's, NL
A1C 5L3

Jan 24

ESTATE NOTICE

IN THE MATTER OF the Estate and Effects of Bruce McKenna Rideout, late of St. John's, in the Province of Newfoundland and Labrador, Retired Civil Servant, deceased.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Bruce McKenna Rideout, Retired Civil Servant, deceased, who died at Grand Falls-Windsor, in the Province of Newfoundland and Labrador on or about the 3rd day of December, 2002, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned solicitors for the Executor of the Estate of the late Bruce McKenna Rideout, on or before the 28th day of February, 2003, after which date the said Executor will proceed to distribute the said Estate having regard only to the claims of which he shall then have had notice.

DATED at St. John's, in the Province of Newfoundland and Labrador, this 8th day of January, 2003.

WHITE, OTTENHEIMER & BAKER
Solicitors for the Executor
Per: Wayne F. Spracklin, Q.C.

ADDRESS FOR SERVICE:

P. O. Box 5457
6th Floor, Baine Johnston Centre
10 Fort William Place
St. John's, NL A1C 5W4

Jan 17 & 24

QUIETING OF TITLES ACT

**2002 ST. J. NO. 4519
IN THE SUPREME COURT OF
NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION**

IN THE MATTER OF an Application by Holloway's Funeral Home Ltd., a body corporate duly incorporated and existing under the laws of the Province of Newfoundland and Labrador to quiet a title pursuant to the *Quieting of Titles Act*, R.S.N. 1990 c. Q-3 (the "Act") to ALL THAT piece or parcel of land situate and being in the Town of Whitbourne, near

Cabot Avenue, in the Province of Newfoundland and Labrador, containing an area of 2.059 hectares, more or less (the "Subject Property")

NOTICE

NOTICE is hereby given to all parties that Holloway's Funeral Home Ltd. of Whitbourne, in the Province of Newfoundland and Labrador, (hereinafter called "the Applicant") has applied to the Supreme Court of Newfoundland and Labrador, Trial Division, to have investigated:

ALL THAT piece or parcel of land situate and being on the northern side of Cabot Avenue, in the town of Whitbourne, in the Provincial Electoral District of Harbour Main, Whitbourne, in the Province of Newfoundland and Labrador, Canada, abutted and bounded as follows, that is to say:

Beginning at a point, said point being distant three hundred eighty five decimal two zero two meters (385.202 m.) on a bearing of South forty nine degrees four minutes four seconds West (S 49° 04' 04" W) from Provincial Control Survey Marker # 82374;

Thence running along the northern limit of the aforementioned Cabot Highway North eighty nine degrees twenty one minutes nine seconds West (N 89° 21' 09" W), a distance of nine decimal nine nine nine meters (9.999 m.); thence North eighty nine degrees forty four minutes fifty nine seconds West (N 89° 44' 59" W), a distance of eighteen decimal seven zero five meters (18105 m.);

Thence running along land of William Barron North two degrees twenty seven minutes zero seconds West (N 2° 27' 00" W), a distance of forty decimal eight four five meters (40.845 m.);

Thence running along land of William Barron. Registered in the Provincial Registry Of Deeds on Roll 1656 Frame 484 North eight degrees forty minutes five seconds West (N 8° 40' 05" W), a distance of thirty four decimal seven four nine meters (34.749 m.);

Thence South eighty eight degrees seven minutes nine seconds West (S 88° 07' 09" W), a distance of seventeen decimal three seven five meters (17.375 m.);

Thence running along land of Dola Peddle North one degree eleven minutes thirty nine seconds West (N 1° 11' 39" W), a distance of thirty three decimal three four seven meters (33.347 m.);

Thence North one degree eleven minutes thirty one seconds West (N 1° 11' 31" W), a distance of fifty eight decimal one

two five meters (58.125 m.);

Thence North zero degrees twenty eight minutes one second East (N 0° 28' 001" E), a distance of fifty one decimal eight nine zero meters (51.890 m.);

Thence running along land of the Bond Estate and by land of Lloyd Peddle, South eighty nine degrees fifty nine minutes zero seconds East (S 89° 59' 00" E), a distance of fifty four decimal five six zero meters (54.560 m.);

Thence running along land of Lloyd Peddle South six degrees nine minutes zero seconds West (S 6° 09' 00" W), a distance of ten decimal nine three zero meters (10.930 m.);

Thence North eighty nine degrees seventeen minutes fifty eight seconds East (N 89° 17' 58" E), a distance of ninety two decimal seven six one meters (92.761 m.);

Thence South eighty six degrees forty four minutes zero seconds East (S 86° 44' 00" E), a distance of twenty one decimal five three zero meters (21.530 m.);

Thence running along land of Rosalie Peddle South six degrees fifty nine minutes twenty seven seconds West (S 6° 59' 27" W), a distance of six decimal five six five meters (6.565 m.);

Thence running along land of John Bradbury & by land of Ruth Janes South six degrees eleven minutes thirty two seconds West (S 6° 11' 32" W), a distance of thirty five decimal nine zero five meters (35.905 m.);

Thence running along land of Ruth Janes South eighty eight degrees twenty one minutes zero seconds East (S 88° 21' 00" E), a distance of six decimal five seven zero meters (6.570 m.);

Thence running along land of the Salvation Army Cemetery South four degrees twenty five minutes eight seconds West (S 4° 25' 08" W), a distance of fifty two decimal two five three meters (52.253 m.);

Thence running along the Williams Property South eighty nine degrees thirty three minutes fifty eight seconds West (S 89° 33' 58" W), a distance of thirty nine decimal eight nine one meters (39.891 m.);

Thence running along the Williams Property and by land of Thomas Hickey South eighty seven degrees fifty seven minutes one seconds West (S 87° 57' 01" W), a distance of forty one decimal zero nine eight meters (41.098 m.);

Thence running along land of Holloways Funeral Home

Limited South eighty eight degrees seven minutes two seconds West (S 88° 07' 02" W), a distance of thirty five decimal zero zero two meters (35.002 m.);

Thence South two degrees thirty five minutes thirty one seconds East (S 2° 35' 31" E), a distance of seventy nine decimal four nine three meters (79.493 m.);

Thence running along land of Philip Penney South two degrees thirty six minutes ten seconds East (S 2° 36' 10" E), a distance of thirty decimal three four five meters (30.345 m.), more or less to the point of beginning.

Containing an area of two decimal zero five nine (2.059) hectares, more or less, and being more particularly described and delineated on the drawing annexed hereto.

All bearings are referred to the meridian of fifty three degrees West longitude of the Modified Three Degree Transverse Mercator Projection for Newfoundland with NAD 83 reference datum..

All persons having title adverse to the said title claimed by the said Holloway's Funeral Home Ltd. shall file in the

Registry of the Supreme Court of Newfoundland and Labrador, Trial Division, particulars of such adverse claims and serve the same together with an Affidavit verifying the same to the undersigned Solicitors for the Petitioner on or before the 21st day of February, 2003 after which date no party having a claim shall be permitted to file the same or be heard except by special leave of the Court and subject to such conditions as the Court may deem just. All adverse claims shall then be investigated in such manner as the said Supreme Court of Newfoundland and Labrador, Trial Division, may direct.

O'DEA, EARLE
Barristers and Solicitors
Per: Thomas J. Johnson

ADDRESS FOR SERVICE:

323 Duckworth Street
St. John's, NL
A1C 5X4

Jan 24

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:-

DENISE ROSE YOUNG

of 17 Scammell Crescent, Mount Pearl, A1N 2G1, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

JORDAN CRAIG GALLOP

to

JORDAN CRAIG YOUNG

DATED this 6th day of December, 2002.

DENISE YOUNG
(Signature of Applicant)

Jan 24

**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:-

DEAN CONWAY

of 24 Cook Street, St. John's, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

JOSHUA DEAN CHRISTOPHER

to

JOSHUA DEAN CHRISTOPHER CONWAY

DATED this 9th day of January, 2003.

DEAN CONWAY
(Signature of Applicant)

Jan 24

CORPORATIONS ACT

Re: The Corporations Act – Section 301 and 393

The following list comprises companies which have been issued Certificates of Discontinuance during the month of November, 2002.

NUM.	COMPANY NAME	TY	ST	R.DATE.	COMMENTS
0024041	Jacques Whitford Laboratories Limited	L	X	19890106	NAME CHANGED - JAN. 12, 2000 - FROM LEM Laboratory Inc. DISCONTINUED UNDER THE CORP. ACT, PROV. OF NL & CONTINUED UNDER THE CBCA - REGISTERED HERE 20021119 BUT EFFECTIVE 20021017

Re: The Corporations Act – Section 286

The following list comprises companies which were issued Certificates of Amendment during the month of November, 2002.

NUM.	COMPANY NAME	TY ST R.DATE.	COMMENTS
000354	SOCIETY OF UNITED FISHERMEN	N B 19170213	ARTICLES OF AMENDMENT CERTIFICATE ISSUED 20021126
003906	THE OFFICERS CLUB (CROW'S NEST)	N B 19640122	ARTICLES OF REVIVAL FILED 900626 CERTIFICATE OF AMENDMENT ISSUED - 980415 CERTIFICATE OF AMENDMENT ISSUED - 990706 CERTIFICATE OF AMENDMENT RE: DIRECTORS ISSUED 20021106
0009700	TIKOTIA PLAZA LIMITED	L B 19770303	CERTIFICATE OF AMENDMENT ISSUED 02-11-13
0010566	NEWFOUNDLAND OCEAN INDUSTRIES ASSOCIATION	N B 19780206	CERTIFICATE OF AMENDMENT ISSUED 20021129
0012571	Birch Point Investments Limited	L B 19791228	ARTICLES OF AMENDMENT CERTIFICATE ISSUED 20021115
0016269	THE LABRADOR WINTER GAMES ASSOCIATION	N B 19830211	CERTIFICATE OF AMENDMENT RE: DIRECTORS ISSUED 20021106
0019509	Consolidated Technologies Limited	L B 19851125	ARTICLES OF AMENDMENT CERTIFICATE ISSUED 20021115
0021176	Alexander Manufacturing Inc.	L B 19870413	
0022199	Seascope 2000 Inc.	L B 19871221	NAME CHANGED 940707 FROM: The Johnson Corporation NAME CHANGED 961231 FROM: Unifund Service Company Limited. NAME CHANGED - 990512 - FROM 10549 Newfoundland Limited CERTIFICATE OF AMENDMENT ISSUED 20021121
0022828	R & C ENTERPRISES LTD.	L B 19880506	CERTIFICATE OF AMENDMENT ISSUED 20021122
0024091	CABOT GRAPHICS INC.	L B 19890120	ARTICLES OF AMENDMENT CERTIFICATE ISSUED 20021127
0026839	Newfoundland Occupational Safety Consultants (1990) Inc.	L B 19900629	
0030252	Rope, Net & Twine Limited	L B 19920602	NAME CHANGED 920604 FROM:

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NUM.	COMPANY NAME	TY ST R.DATE.	COMMENTS
			Cosalt Canada Limited.
0033884	GP Fisheries Ltd.	L B 19940714	ARTICLES OF AMENDMENT FILED 20021107 RE:SHARES CERTIFICATE ISSUED 20021107
0034180	JERRY'S SNACKS LIMITED	L B 19940922	ARTICLES OF AMENDMENT FILED 20021114 CERTIFICATE ISSUED 20021114
0035282	Hungry Fishermen Inc.	L B 19950608	CERTIFICATE OF AMENDMENT ISSUED 20021104 CERTIFICATE OF AMENDMENT ISSUED 20021115
0035668	MIR Enterprise Ltd.	L B 19950901	CERTIFICATE OF AMENDMENT ISSUED 20021129
0036535	10489 NEWFOUNDLAND LIMITED	L B 19960401	CERTIFICATE OF AMENDMENT ISSUED 20021121
0036878	NEWFOUNDLAND AQUA PRODUCTS INC.	L B 19960605	ARTICLES OF AMENDMENT FILED 20021112 RE:DIRECTORS CERTIFICATE ISSUED 20021112
0041125	Johnson Investments Inc.	L B 19981231	AMALGAMATION (EFFECTIVE 990101) SEE FILE 16123 Johnson Estate Inc., 3651 Johnson Interests Inc. & 41124-98 CAPITALEASE LIMITED NAME CHANGED - 990512 - FROM JOHNSON ESTATE INC. CERTIFICATE OF AMENDMENT ISSUED 20021122
0042210	K.T.O. Holdings Inc.	L B 19990903	ARTICLES OF AMENDMENT CERTIFICATE ISSUED 20021115
0042518	Quality Bait Services of Canada Inc.	L B 19991129	ARTICLES OF AMENDMENT RE: REGISTERED OFFICE CERTIFICATE ISSUED 20021128 ARTICLES OF AMENDMENT RE: SHARES CERTIFICATE ISSUED 20021128
0043872	SPIRITUAL ROCK CONGREGATIONAL CHRISTIAN CHURCH INC.	N B 20000920	CERTIFICATE OF AMENDMENT ISSUED 20021122
0044230	BURTONS COVE LOGGING & LUMBER LIMITED	L B 20001229	AMALGAMATION - EFFECTIVE DEC. 31, 2000 - SEE FILE NOS. 23192

NUM.	COMPANY NAME	TY	ST R.DATE.	COMMENTS
				Burtons Cove Logging & Lumber Limited, 23304 Heath's Enterprises Limited & 21538 Star Lumber Limited CERTIFICATE OF AMENDMENT ISSUED 20021128
0044790	BUILD-ALL CONSTRUCTION LTD.	L	B 20010514	ARTICLES OF AMENDMENT CERTIFICATE ISSUED 20021118
0045306	EAST COAST CORROSION LTD.	L	B 20010921	CERTIFICATE OF AMENDMENT ISSUED 20021101
0045512	R & G Ho-Co Inc.	L	M 20011121	CERTIFICATE OF AMENDMENT ISSUED 20021101 AMALGAMATED 20021101 - SEE FILE NO. 46959 VISION PACKAGING SUPPLIES LTD.
0045543	Atlantic Recycling Incorporated	L	B 20011127	ARTICLES OF AMENDMENT CERTIFICATE ISSUED 20021127
0046042	CHAFE'S QUEST LTD.	L	B 20020404	CERTIFICATE OF AMENDMENT RE: SHARES ISSUED 20021106
0046404	Scented Secrets Inc.	L	B 20020618	CERTIFICATE OF AMENDMENT ISSUED 2002-11-13
0046626	DOT'S BAKERY & COFFEE SHOP LTD.	L	B 20020813	CERTIFICATE OF AMENDMENT ISSUED 2002-11-13
0046853	Penney Technologies Inc.	L	B 20021008	CERTIFICATE OF AMENDMENT ISSUED 20021101
0046892	MG Medical Inc.	L	B 20021018	ARTICLES OF AMENDMENT FILED 20021112 RE:SHARES CERTIFICATE ISSUED 20021112

Re: The Corporations Act – Section 443

The following is the list of the Extra-Provincial companies which were issued Certificates of Registration during the month of November, 2002.

NUM.	COMPANY NAME	TYPE	ST R. DATE	COMMENTS
003810D	PORT AU PORT QUARRIES INC.	D	B 20021101	
003812D	SERVICES FINANCIERS CLARICA INC. CLARICA FINANCIAL SERVICES INC.	D	B 20021104	
003812D	CLARICA FINANCIAL SERVICES INC. SERVICES FINANCIERS CLARICA INC.	D	B 20021104	
003813D	Legacy Network Canada Ltd.	D	B 20021105	
003814D	MOORE EMPLOYEE BENEFITS ADMINISTRATION LTD.	D	B 20021112	
003815D	Enterasys Networks of Canada Limited Reseaux Enterasys du Canada Limitee	D	B 20021114	AMALGAMATION SEE FILE 2669-D Enterasys Networks of Canada Limited/Reseaux Enterasys du Canada Limitee
003816D	ANGLO AMERICAN EXPLORATION (CANADA) LTD.	D	B 20021118	
003817D	Inamed Canada Inc.	D	B 20021120	
003818D	BURNS PHILP FOOD LIMITED ALIMENTS BURNS PHILP LIMITEE	D	B 20021121	AMALGAMATION SEE FILE 2897-D BURNS PHILP FOOD LIMITED ALIMENTS BURNS PHILP LIMITEE
003819D	ConocoPhillips Canada (East) Limited	D	B 20021126	
003820D	SmartCoverage Home Insurance Agency Inc. Agence D'Assurance Habitation protectionavissee Inc.	D	B 20021126	
003821D	AWM-TELAV INC.	D	B 20021126	
003822D	COMERCO SERVICES INC. SERVICES COMERCO INC.	D	B 20021129	
003823D	LANDCANADA FINANCIAL SERVICES LIMITED	D	B 20021129	
006367F	OTIS CANADA, INC.	F	B 20021101	AMALGAMATION SEE FILE 432-F Otis Canada, Inc.
006369F	CONOCOPhillips CANADA RESOURCES CORP.	F	B 20021101	AMALGAMATION SEE FILE 6368-F CONOCO CANADA RESOURCES LIMITED NAME CHANGED 2002-11-01 FROM CONOCO CANADA RESOURCES COMPANY
006370F	NUMAC ENERGY INC.	F	B 20021104	AMALGAMATION SEE FILE 6063-F NUMAC ENERGY INC.
006371F	RAINMAKER SYSTEMS, INC.	F	B 20021105	
006372F	ACTER LEROUX INC./ LEROUX STEEL INC.	F	B 20021106	

NIM.	COMPANY NAME	TY ST R.DATE.	COMMENTS
006372F	LEROUX STEEL INC. ACIER LEROUX INC.	F B 20021106	
006373F	AGF FUNDS INC. LES FONDS AGF INC.	F B 20021107	AMALGAMATION SEE FIL 5912-F AGF FUNDS INC./LES FONDS AGF INC.
006374F	4528027 MANITOBA LTD.	F B 20021112	
006375F	TRIBAL WI-CHI-WAY-WIN CAPITAL CORPORATION	F B 20021112	
006376F	PRIMUS AUTOMOTIVE FINANCIAL SERVICES CANADA COMPANY COMPAGNIE DE SERVICES DE FINANCEMENT AUTOMOBILE PRIMUS CANADA	F B 20021112	
006377F	Great Northern Products, Ltd.	F B 20021112	
006378F	VFS CANADA INC.	F B 20021120	AMALGAMATION SEE FILES 4611-F VFS CANADA INC & 4677-F VFS EQUIPMENT FINANCE CANADA LTD.
006379F	ING DIRECT FUNDS LIMITED FONDS ING DIRECT LIMITEE	F B 20021122	
006380F	TRISOME FOODS, INC.	F B 20021122	
006381F	MAUROIL INTERNATIONAL INC.	F B 20021122	
006382F	TRITON INSURANCE BROKERS (2000) INC.	F B 20021126	
006383F	PARAMOUNT PICTURES CANADA DISTRIBUTION INC.	F B 20021127	
006384F	3070188 NOVA SCOTIA LIMITED	F B 20021127	
006385F	1012610 ALBERTA LTD.	F B 20021129	

Re: The Corporations Act – Section 451

The following list comprises companies which have changed their names during the month of November, 2002

NUM.	COMPANY NAME	TY	ST R.	DATE.	COMMENTS
003811D	GEAC INC.	D	B	19940120	NAME CHANGED - 960913 - FROM Consolidated General Insurance Company Limited/La Compagnie d'Assurance Consolidated Generale TRANSFERRED FROM AN INSURANCE REGISTRATION # 455-I TO A DOMINION REGISTRATION # 3811-D UNDER THE CECA UNDER ARTICLES OF CONTINUANCE DATED SEPTEMBER 23, 2002 BUT REGISTERED HERE NOVEMBER 1, 2002. NAME CHANGE 2002-11-01 FROM GE Capital Casualty Company, Canada Compagnie d'assurance Ge Capital Casualty, Canada
002722D	BMO CAPITAL CORPORATION BMO CORPORATION D'INVESTISSEMENT EN CAPITAL DE LA BANQUE DE MONTREAL	D	B	19960311	NAME CHANGED 2002-11-05 FROM BANK OF MONTREAL CAPITAL CORPORATION/LA CORPORATION D'INVESTISSEMENT EN CAPITAL DE LA BANQUE DE MONTREAL
003134D	3450775 CANADA INC.	D	B	19981015	AMALGAMATION - SEE FILE NO. 2706-D PHILLIPS & TEMPO INDUSTRIES LTD. NAME CHANGED 20021128 FROM: PHILLIPS & TEMPO INDUSTRIES LTD.
005289F	BORDEN FOODS CANADA CORPORATION CORPORATION D'ALIMENTS BORDEN DU CANADA	F	B	19990226	NAME CHANGED 2002-11-26 FROM BORDEN FOODS CANADA CORPORATION/CORPORATION D'ALIMENTS BORDEN DU CANADA
005702F	IBM BUSINESS SERVICES INC.	F	B	20000724	NAME CHANGED 2002-11-20 FROM 3044018 NOVA SCOTIA COMPANY NAME CHANGED 2002-11-20 FROM PWC COMPANY NAME CHANGED 2002-11-27 FROM IBM BUSINESS SERVICES COMPANY
003506D	CIBC ASSET MANAGEMENT INC. GESTION D'ACTIFS CIBC INC.	D	B	20010228	AMALGAMATION - SEE FILE NOS. 3172-D Merrill Lynch Investment Managers Canada Corp./Gestion d'investissements Merrill Lynch Canada S.A.R.F. & 2201-D ATLAS ASSET MANAGEMENT INC./GESTION DE L'ACTIF ATLAS INC. NAME CHANGED 2002-09-16 FROM Merrill Lynch Investment Managers Canada Inc./Gestion d'investissements Merrill Lynch Canada Inc.

NUM.	COMPANY NAME	TY	ST	R.DATE.	COMMENTS
					NAME CHANGED 2002-11-08 FROM CM Investment Management Inc. Gestion de placement CM Inc.
006109F	DIRECT PLUS FOOD GROUP LTD.	F	B	20011211	AMALGAMATION - SEE FILE NO. 5644-F GOODLIFE BRANDS INC. NAME CHANGED 2002-11-26 FROM GOODLIFE BRANDS INC.
006369F	CONOCOPhillips CANADA RESOURCES CORP.	F	B	20021101	AMALGAMATION SEE FILE 6368-F CONOCO CANADA RESOURCES LIMITED NAME CHANGED 2002-11-01 FROM CONOCO CANADA RESOURCES COMPANY

Re: The Corporations Act – Section 331

The following is a list of companies issued Certificates of Revival for the month of November, 2002.

NUM.	COMPANY NAME	TY	ST	R.DATE.	COMMENTS
0022562	Zenith Drilling & Exploration Services Ltd.	L	M	19880318	DISSOLVED 20020625 UNDER ARTICLES OF DISSOLUTION - FILED IN DRAWER # 139 ARTICLES OF REVIVAL FILED 20021118 AMALGAMATED 20021231 - SEE FILE NO. 47201 Barker's Construction Limited
0032190	ENVIRONMENTAL FRIENDS LTD.	L	A	19930714	DISSOLVED UNDER ARTICLES OF DISSOLUTION 950207. FILE IN DRAWER #108. ARTICLES OF REVIVAL FILED 20021122

Re: The Corporations Act – Section 335

The following is a list of companies which have been dissolved under Articles of Dissolution during the month of November, 2002.

NUM.	COMPANY NAME	TY ST R.DATE.	COMMENTS
0004496	JOYLAR INVESTMENTS LIMITED	L D 19660815	CERTIFICATE OF AMENDMENT ISSUED 950424 NAME CHANGED 20011029 FROM: Nascopie Travel Service Limited DISSOLVED 20021129 UNDER ARTICLES OF DISSOLUTION. FILED IN DRAWER #140
0012120	Four Seasons Lounge and Restaurant Limited	L D 19790808	DISSOLVED UNDER ARTICLES OF DISSOLUTION CERTIFICATE ISSUED 20021119 FILE IN DRAWER # 140
0013122	Rokelis Limited	L D 19800521	DISSOLVED 20021128 UNDER ARTICLES OF DISSOLUTION FILED IN DRAWER #140
0016076	Hand Holdings Limited	L D 19821223	DISSOLVED 20021104 UNDER ARTICLES OF DISSOLUTION FILE IN DRAWER # 140
0020517	THE CANVAS REPAIR SHOP LIMITED	L D 19860916	DISSOLVED 20021125 UNDER ARTICLES OF DISSOLUTION CERTIFICATE ISSUED 20021125 FILE IN DRAWER # 140
0021856	CHAILK'S MACHINE SHOP LIMITED	L D 19870917	DISSOLVED UNDER ARTICLES OF DISSOLUTION CERTIFICATE ISSUED 20021126 FILE IN DRAWER # 140
0022202	L. J. Associates Limited -	L D 19871222	DISSOLVED 20011116 UNDER ARTICLES OF DISSOLUTION - FILE IN DRAWER #137 ARTICLES OF REVIVAL FILED MARCH 27, 2002 DISSOLVED UNDER ARTICLES OF DISSOLUTION CERTIFICATE ISSUED 20021118 FILE IN DRAWER # 140
0022795	Bradbury & Sons Enterprises Limited	L D 19880503	DISSOLVED UNDER ARTICLES OF DISSOLUTION CERTIFICATE ISSUED 20021120 FILE IN DRAWER# 140
0024423	CANN ENTERPRISES LIMITED	L D 19890328	DISSOLVED 20021121 UNDER ARTICLES OF DISSOLUTION - FILE IN DRAWER #140
0024745	FLEET FISHERIES LIMITED	L D 19890516	NAME CHANGED 981009 FROM: SHAMUT FISHERIES LIMITED DISSOLVED 20021129 UNDER

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NUM.	COMPANY NAME	TY	ST R.	DATE.	COMMENTS
					ARTICLES OF DISSOLUTION FILED IN DRAWER #140
0027216	Mobile Trailer Repair Service Inc.	L	D	19900912	DISSOLVED 20021104 UNDER ARTICLES OF DISSOLUTION FILE IN DRAWER # 140
0027804	MARTIN'S WINDOWS, DOORS & MORE LTD.	L	D	19910125	DISSOLVED 20021107 UNDER ARTICLES OF DISSOLUTION CERTIFICATE ISSUED 20021107 FILE IN DRAWER # 140
0029437	CAMBELL PHARMACY INC.	L	D	19911210	DISSOLVED 20021106 UNDER ARTICLES OF DISSOLUTION CERTIFICATE ISSUED 20021106 FILE IN DRAWER # 140
0034329	CLOONEY MANAGEMENT LTD.	L	D	19941031	ARTICLES OF DISSOLUTION CERTIFICATE ISSUED 20021115
0041218	HURSTER ENTERPRISE LTD.	L	D	19990125	DISSOLVED 20021128 UNDER ARTICLES OF DISSOLUTION FILE IN DRAWER #140
0041354	FRANKO'S TAKEOUT INC.	L	D	19990301	DISSOLVED 20021106 UNDER ARTICLES OF DISSOLUTION CERTIFICATE ISSUED 20021106 FILE IN DRAWER # 140
0042246	oxygen design inc.	L	D	19990916	DISSOLVED UNDER ARTICLES OF DISSOLUTION CERTIFICATE ISSUED 20021126 FILE IN DRAWER # 140
0042872	ARMSCO-ADVANCED RECORDS MANAGEMENT SYSTEMS CORP.	L	D	20000217	DISSOLVED 20021129 UNDER ARTICLES OF DISSOLUTION FILED IN DRAWER #140
0043020	11121 Newfoundland Limited	L	D	20000322	NAME CHANGED 20020403 FROM: Summers Towing Ltd. DISSOLVED UNDER ARTICLES OF DISSOLUTION CERTIFICATE ISSUED 20021127 FILE IN DRAWER # 140
0043382	Mikes Gas and Variety Ltd.	L	D	20000529	DISSOLVED 20021128 UNDER ARTICLES OF DISSOLUTION FILE IN DRAWER #140
0045205	Thorne Grove Enterprise Ltd.	L	D	20010823	DISSOLVED 20021122 UNDER ARTICLES OF DISSOLUTION - FILE IN DRAWER #140

NUM.	COMPANY NAME	TY ST R.DATE.	COMMENTS
0045283	ALL CLEAN SOILS & RECYCLING INC.	L D 20010917	DISSOLVED UNDER ARTICLES OF DISSOLUTION CERTIFICATE ISSUED 20021118 FILE IN DRAWER # 140
0046170	Percy Enterprises Incorporated	L D 20020501	DISSOLVED 20021106 UNDER ARTICLES OF DISSOLUTION CERTIFICATE ISSUED 20021106 FILE IN DRAWER # 140

Re: The Corporations Act – Section 286

The following list comprises companies which have changed their names during the month of November, 2002.

NUM.	COMPANY NAME	TY ST R.DATE.	COMMENTS
0001549	The Royal St. John's Regatta Committee Inc.	N B 19371113	NAME CHANGED 20021104 FROM: THE ST. JOHN'S REGATTA COMMITTEE
0033514	Stone's Investments Ltd.	L B 19940503	CERTIFICATE OF AMENDMENT ISSUED 960409 NAME CHANGED 20021119 FROM: STONES RESTAURANT LTD.
0039268	PATHFINDER MANAGEMENT GROUP LTD.	L B 19971113	NAME CHANGED 20021118 FROM: PATHFINDER INFORMATION TECHNOLOGIES LTD.
0045290	Silverwood Inn Ltd	L B 20010918	NAME CHANGED 20021119 FROM: Your General Store Inc.

Re: The Corporations Act – Section 393

The following list comprises companies which have been incorporated during the month of November, 2002.

CO. NUM	NAME	R.DATE.	ADDRESS OF REGISTERED OFFICE
0046953	CARRINGTON DEVELOPMENT INC	20021101	17 EDWARDS PL. MT. PEARL, NL
0046954	Spruce Meadow Cottages Ltd.	20021101	120 MAIN ST. CLARKES BEACH, NL
0046955	RELIABLE TOWING LTD.	20021101	36 JORDAN PL. ST. JOHN'S, NL
0046956	Worthy Investments Inc.	20021101	SUITE 200, 80 ELIZABETH AVE. ST. JOHN'S, NL
0046957	Sharakoon Enterprises Limited	20021101	SUITE 200, 80 ELIZABETH AVE. ST. JOHN'S, NL
0046958	Global Groove Productions Inc.	20021101	MAIN RD. HICKMAN'S HARBOUR, NL
0046959	VISION PACKAGING SUPPLIES LTD.	20021101	13 OLD PLACENTIA RD. MT. PEARL, NL
0046960	CCD HOLDINGS LIMITED	20021101	C/O JANIS BYRNE 1309 TOPSAIL RD, PARADISE
0046961	Shebar Enterprises Inc.	20021101	C/O BARRY WHELAN COLLIERS, NL
0046962	Imperial Transport, Limited	20021101	BUILDING 4 ST. ANNES INDUSTRIAL PARK
0046963	SOUTH COAST SNOW & ICE CONTROL LTD.	20021104	255 MAIN ST. MILLTOWN, NL
0046964	JR Holdings (2002) Ltd	20021104	12 CHESLEY DR. ST. JOHN'S, NL
0046965	EDDY'S GAS BAR (2002) LTD.	20021104	C/O HANSEL EDDY, MAIN RD. LITTLE CATALINA, NL
0046966	Wabush Teen Centre Inc.	20021104	1 BOND ST. WABUSH, LABRADOR
0046967	Pita Property Inc.	20021105	202 WATER ST. ST. JOHN'S, NL
0046968	Dr. Paul Heneghan Professional Medical Corporation	20021106	128 GRENFELL HEIGHTS GRAND FALLS-WINDSOR, NL
0046969	11208 Newfoundland Inc.	20021106	1 ANDERSON AVE. ST. JOHN'S, NL
0046970	Gander Personal Care Home Inc.	20021106	C/O LAWRENCE GUY MUSGRAVE HARBOUR, NL
0046971	Terra IT Consulting Inc.	20021107	150 EASTBOURNE CRESCENT ST. JOHN'S NL
0046972	Drs. Blaine Pearce and Paula Pye, P.M.C. Inc.	20021107	DALFIN'S SHOPPING CENTRE MAIN ST CLARENVILLE NL
0046973	Quick Wrap Inc.	20021107	PATTERSON PALMER ST. JOHN'S NL
0046974	Dr. Robert N. Porter, P.M.C. Inc.	20021107	52 MERCERS DRIVE ST. JOHN'S NL
0046975	The Trophy Hut Ltd.	20021107	149 WATER STREET CARBONAR NL
0046976	OILLAND DISTRIBUTORS LIMITED	20021107	8 MCCURDY DRIVE GANDER NL
0046977	EXPLOITS H.V.A.C. LIMITED	20021107	8 MCCURDY DRIVE GANDER NL
0046978	PIONEER DEVELOPMENT LTD.	20021107	ROAD TO THE ISLES LEWISPORTE NL
0046979	NAQUA HOLDINGS INC.	20021107	21 MAIN ROAD RAMEA NL

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CO. NUM	NAME	R.DATE.	ADDRESS OF REGISTERED OFFICE
0046980	Dead Island Pub Inc.	20021108	ST. JAMES ORANGE LODGE ISLE-AUX-MORTS, NL
0046981	Alliance Computers & Consultants Inc.	20021108	25A PERLIN ST. ST. JOHN'S, NL
0046982	Paradise Adventures Limited	20021108	271 MAIN RD. CARTWRIGHT, NL
0046983	Grand Le Pierre, "Come Home Year" Corp.	20021108	GRAND LE PIERRE, NL
0046984	Chelsea Fisheries Incorporated	20021108	20 LEGION RD. CLARENVILLE, NL
0046985	Killick Coast Tourism Association Inc.	20021108	34 TYNEDALE DR. TORBAY, NL
0046986	TORNGAIT TRANSPORT INC.	20021108	SUITE 320, 240 WATER ST. ST. JOHN'S, NL
0046987	Hennessey's Personal Care Home Inc.	20021108	39 GULLY POND ROAD CONCEPTION BAY SOUTH, NL
0046988	Port City Speciality Products Inc.	20021108	12 LINDEN PLACE ST. JOHN'S, NL
0046989	New-Wes-Valley Convenience Ltd.	20021112	WESLEYVILLE, NL
0046990	Triple Holloway Ltd.	20021112	MUSGRAVE TOWN, NL
0046991	Active Rehabilitation Centres Ltd.	20021112	284 LEMARCHANT RD. ST. JOHN'S, NL
0046992	D.B. OPTICAL LTD.	20021112	279 PORTUGAL COVE RD. EASTGATE PLAZA, ST. JOHN'S
0046993	Gulf Shrimp Limited	20021113	SUITE 302, 215 WATER ST. ST. JOHN'S, NL
0046994	CANADIAN AEROSPACE CORP.	20021113	3 DOBBIN DR. GANDER, NL
0046995	EMERGENCY REPAIR LIMITED	20021113	71A BLACKMARSH RD. ST. JOHN'S, NL
0046996	Oscar Investments Ltd.	20021114	SUITE 203, 102-104 LEMARCHANT RD, ST. JOHN'S
0046997	PVF OFFSHORE SERVICES LIMITED	20021114	66 KENMOUNT RD. ST. JOHN'S, NL
0046998	S & F Fisheries Ltd.	20021114	C/O FRED SAINIERS COBB'S ARM, NL
0046999	RUTER Enterprises Inc.	20021114	C/O TERRY YOUNG 14 MARC GARNEAU PL, GANDER
0047000	HUCKLEY'S ACCOUNTING INC.	20021114	16 RALEIGH ST. ST. JOHN'S, NL
0047001	C. FLIGHT MANAGEMENT CONSULTING INC.	20021115	20 CENTRAL ST. CORNER BROOK, NL
0047002	Perrault Place Community Centre Inc.	20021115	20 PERRAULT PLACE HAPPY VALLEY-GEORGE BAY
0047003	N.W.D. HOLDINGS INC.	20021115	53 DAVE'S PLACE CONCEPTION BAY SOUTH, NL
0047004	11209 Newfoundland Inc.	20021115	LANCE COVE RD. BELL ISLAND, NL
0047005	PIERRE FILMS LIMITED	20021115	96 FRESHWATER RD. ST. JOHN'S, NL
0047006	Cottlesville Fisher's Committee Inc.	20021115	C/O KEVIN WATKINS COTTLESVILLE, NL
0047007	11210 Newfoundland Limited	20021115	37 STAVANGER DR. ST. JOHN'S, NL

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CO. NUM	NAME	R.DATE.	ADDRESS OF REGISTERED OFFICE
0047008	Forseti Technologies Inc.	20021118	49 ROCHE ST. ST. JOHN'S, NL
0047009	The Rooms Corporation of Newfoundland and Labrador Inc.	20021118	C/O DEPUTY MINISTER DEPT TOURISM, CULTURE, RE
0047010	Ellsworth Investments Inc.	20021118	49-55 ELIZABETH AVE. ST. JOHN'S, NL
0047011	3-D SALES INC.	20021118	20 ELSWICK RD. CORNER BROOK, NL
0047012	Sorensen's Studio of Fine Arts Inc.	20021118	C/O LISE SORENSEN WOODY POINT, BONNE BAY, NL
0047013	VOISEY'S BAY EMPLOYERS ASSOCIATION INC.	20021119	C/O MCINNES, COOPER 10 FORT WM PL, ST. JOHN'S
0047014	Atlantic Financial Services Ltd.	20021119	59 PARK ST. CORNER BROOK, NL
0047015	Hickey's Builders Ltd.	20021119	C/O BERTHA LUSH GEORGETOWN, C. BAY, NL
0047016	PETER'S AUTO WORKS INC.	20021119	71 BLACKMARSH RD. ST. JOHN'S, NL
0047017	Classic Interiors Inc	20021120	12A ANCHORAGE RD. MANUEL'S, NL
0047018	NL Veterinary Purchasing Ltd.	20021120	26 HARDY AVE. GRAND FALLS-WINDSOR, NL
0047019	11211 NEWFOUNDLAND INC.	20021120	14 DUGGAN ST. GRAND FALLS-WINDSOR, NL
0047020	MIDA GROUP INC.	20021120	18 FAGAN DR. ST. JOHN'S, NL
0047021	Quinton Management Limited	20021120	22 O'LEARY AVE. ST. JOHN'S, NL
0047022	Atlantic Overhead Door & Dock Inc	20021121	377 THREE ISLAND FOND RD. PARADISE, NL
0047023	Home Renewal Inc	20021121	31 GOLDEN RD. CBS, NL
0047024	KAT Sales and Merchandising Ltd.	20021121	269 BAULINE LINE PORTUGAL COVE, NL
0047025	Triple B Holdings Ltd.	20021121	SUITE 203, 102-104 LEWARCHANT RD, ST. JOHN'S
0047026	Information Brokerage Ltd.	20021121	232 VILLE MARIE DR. HAVYSTOWN, NL
0047027	ATLANTIC REMEDIATION EQUIPMENT INC.	20021121	UNIT 50, HAMLIN RD PLAZA SUITE 415, HAMLIN RD. STJ
0047028	Bonavista Area Chamber of Commerce Inc.	20021122	TOWN OFFICE BONAVIDA, NL
0047029	Grand Beach Fisheries Committee Incorporated	20021122	C/O JOHN FOLLETT GRAND BEACH, NL
0047030	POWELL'S LABRADOR ADVENTURES LIMITED	20021122	C/O TONY POWELL CHARLOTTETOWN, NL
0047031	MOB Services Inc.	20021125	C/O POWER, BOLAND ATLANTIC PL, 215 WATER ST
0047032	11212 Newfoundland Incorporated	20021125	25 ELMWOOD CRES. PASADENA, NL
0047033	McKEE'S HOLDINGS LTD.	20021125	26 O'LEARY AVE. ST. JOHN'S, NL
0047034	CHRISTMAS FOR KIDS INC.	20021126	1 VINNICOHEE ST. ST. JOHN'S, NL

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CO. NUM	NAME	R.DATE.	ADDRESS OF REGISTERED OFFICE
0047035	Farmers with Disabilities Newfoundland and Labrador Inc.	20021126	C/O BILLY WOODS 17 RYAN'S RD, TORBAY, NL
0047036	ANA INDUSTRIAL LTD.	20021126	YETMAN'S LANE BAY ROBERTS, NL
0047037	Hurley's Trucking Ltd.	20021127	VALLEY ROAD BELL ISLAND NL
0047038	Skibbereen Holdings Inc.	20021127	100 NEW GOWER STREET ST. JOHN'S NL
0047039	Jennings Auto Limited	20021127	1690 TOPSAIL ROAD PARADISE NL
0047040	The Scleroderma Support Group of NL Inc.	20021128	10 WADLAND CRES. ST. JOHN'S, NL
0047041	MUM Excavating Inc.	20021128	64 RED CLIFF RD. LOGY BAY
0047042	Sunshine Learning Centre Inc.	20021128	192 HUCKINGHAM DR. PARADISE, NL
0047043	KLAS Imports Ltd.	20021128	29 PETRIES ST. CORNER BROOK, NL
0047044	Merashreen Reunion Inc.	20021128	9 RENEWS ST. ST. JOHN'S, NL
0047045	Graderbest Holdings Inc.	20021129	C/O STEWART, MCKELVEY SUITE 1100, 100 NEW GOWER
0047046	LABRADOR HOLDINGS MANAGEMENT LIMITED	20021129	918 ALDERIDGE AVE. LABRADOR CITY, NL
0047047	EAST COAST REALTY LTD.	20021129	57 NFED DR. ST. JOHN'S, NL
0047048	Bursey Electrical Ltd.	20021129	115 HUSSEY DR. ST. JOHN'S, NL
0047049	ATM Direct Limited	20021129	29 NEARY RD. PARADISE, NL
0047050	NORTHERN ELASTERS LTD.	20021129	C/O HUBERT RANDELL ENGLEE, NL

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CO. NUM	NAME	R.DATE
0046969	11208 Newfoundland Inc.	20021106
0047004	11209 Newfoundland Inc.	20021115
0047007	11210 Newfoundland Limited	20021115
0047019	11211 NEWFOUNDLAND INC.	20021120
0047032	11212 Newfoundland Incorporated	20021125
0047011	3-D SALES INC.	20021118
0047036	ANA INDUSTRIAL LTD.	20021126
0047027	ATLANTIC REMEDIATION EQUIPMENT INC.	20021121
0047049	ATM Direct Limited	20021129
0046991	Active Rehabilitation Centres Ltd.	20021112
0046981	Alliance Computers & Consultants Inc.	20021108
0047014	Atlantic Financial Services Ltd.	20021119
0047022	Atlantic Overhead Door & Dock Inc	20021121
0047000	BUCKLEY'S ACCOUNTING INC.	20021114
0047028	Bonavista Area Chamber of Commerce Inc.	20021122
0047048	Bursey Electrical Ltd.	20021129
0047001	C. FLIGHT MANAGEMENT CONSULTING INC.	20021115
0046994	CANADIAN AEROSPACE CORP.	20021113
0046953	CARRINGTON DEVELOPMENT INC	20021101
0046960	CCD HOLDINGS LIMITED	20021101
0047034	CHRISTMAS FOR KIDS INC.	20021126
0046984	Chelsea Fisheries Incorporated	20021108
0047017	Classic Interiors Inc	20021120
0047006	Cottlesville Fisher's Committee Inc.	20021115
0046992	D.B. OPTICAL LTD.	20021112
0046980	Dead Island Pub Inc.	20021108
0046968	Dr. Paul Heneghan Professional Medical Corporation	20021106

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January 24, 2003

CO. NUM	NAME	R.DATE
0046974	Dr. Robert N. Porter, P.M.C. Inc.	20021107
0046972	Drs. Blaine Pearce and Paula Pye, P.M.C. Inc.	20021107
0047047	EAST COAST REALTY LTD.	20021129
0046965	EDDY'S GAS BAR (2002) LTD.	20021104
0046995	EMERGENCY REPAIR LIMITED	20021113
0046977	EXPLOITS H.V.A.C. LIMITED	20021107
0047010	Ellsworth Investments Inc.	20021118
0047035	Farmers with Disabilities Newfoundland and Labrador Inc.	20021126
0047008	Forseti Technologies Inc.	20021118
0046970	Gander Personal Care Home Inc.	20021106
0046958	Global Groove Productions Inc.	20021101
0047045	Graderbest Holdings Inc.	20021129
0047029	Grand Beach Fisheries Committee Incorporated	20021122
0046983	Grand Le Pierre, "Come Home Year" Corp.	20021108
0046993	Gulf Shrimp Limited	20021113
0046987	Hennessey's Personal Care Home Inc.	20021108
0047015	Hickey's Builders Ltd.	20021119
0047023	Home Renewal Inc	20021121
0047037	Hurley's Trucking Ltd.	20021127
0046962	Imperial Transport, Limited	20021101
0047026	Information Brokerage Ltd.	20021121
0046964	JR Holdings (2002) Ltd	20021104
0047039	Jennings Auto Limited	20021127
0047024	KAT Sales and Merchandising Ltd.	20021121
0047043	KLAS Imports Ltd.	20021128
0046985	Killick Coast Tourism Association Inc.	20021108
0047046	LABRADOR HOLDINGS MANAGEMENT LIMITED	20021129

Re: The Corporations Act – Section 294

The following list comprises companies which were brought about by amalgamation during the month of November, 2002.

NUM.	COMPANY NAME	TYPE	STRT. DATE	COMMENTS
0046959	VISION PACKAGING SUPPLIES LTD.	L	B 20021101	AMALGAMATION - SEE FILES 35254 Vision Packaging Supplies Ltd. & NO. 45512 R & G Ho-Co Inc.
0046960	CCD HOLDINGS LIMITED	L	B 20021101	AMALGAMATION - SEE FILES 30610 BRADNOR HOLDINGS LIMITED, NO. 33162 DAVE HOLDINGS LIMITED, NO. 33163 BRADLEY HOLDINGS LIMITED & NO. 46659 CCD HOLDINGS LIMITED
0046962	Imperial Transport, Limited	L	B 20021101	AMALGAMATION - SEE FILES 30973 Imperial Transport, Limited & NO. 35877 D. MURPHY HOLDINGS LIMITED
0046992	D.B. OPTICAL LTD.	L	B 20021112	AMALGAMATION - SEE FILES 35781 D.B. OPTICAL LTD. & NO. 36019 B C Optical Ltd.
0047049	ATM Direct Limited	L	B 20021129	AMALGAMATION - SEE FILES 45266 ATM Sales and Service Limited & NO. 45526 11079 NEld. Ltd.



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

**SUBORDINATE LEGISLATION
FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT**

Vol. 78

ST. JOHN'S, FRIDAY, JANUARY 24, 2003

No. 4

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 6/03

NLR 7/03

NLR 8/03

NLR 9/03

NLR 10/03



NEWFOUNDLAND AND LABRADOR REGULATION 6/03

*Notice of Wellhead Protected Water Supply Area
of the Town of Badger
under the
Water Resources Act*

(Filed January 21, 2003)

Under the authority of section 61 of the *Water Resources Act*, I designate an area to be known as the *Badger Wellhead Protected Water Supply Area* to be a wellhead protected water supply area for the Town of Badger.

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

Kevin Aylward
Minister of Environment

NOTICE

This area includes all lands in the Provincial Electoral District of Grand-Falls-Buchans, abutted and bounded as follows:

Beginning at a point on the northwesterly bank of the Exploits River, that point being located at the low water mark where the Red Indian River flows into the Exploits River having scaled UTM co-ordinates of north 5,424,760 metres and east 568,490 metres;

Then running along the sinuosities of the northwesterly bank of Exploits River in a general southwest direction to a point having scaled UTM coordinates of north 5,423,500 metres and east 568,490 metres.

Then following an arc with a 2,000 metre radius from the most southerly well of the Badger wellfield, clockwise to a point on the southeasterly bank of the Red Indian River having scaled UTM co-ordinates of north 5,424,050 metres and east 567,980 metres; and

Then running along the sinuosities of the southeasterly bank of Red Indian River in a general northeast direction to the point of commencement.

All bearings refer to Zone 21 of the NAD 27 Universal Transverse Mercator Projection.

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NEWFOUNDLAND AND LABRADOR REGULATION 7/03

Social Assistance Regulations (Amendment)
under the
Social Assistance Act
(O.C. 2003-002)

(Filed January 21, 2003)

Under the authority of section 30 of the *Social Assistance Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, January 17, 2003.

Deborah E. Fry
Clerk of the Executive Council

REGULATIONS

Analysis

- | | |
|---|---|
| 1. S.2 R&S
Definitions | 5. S.11 Amdt.
Determination of assistance |
| 2. S.3 R&S
Deduction | 6. S.12 Amdt.
Liquid assets |
| 3. S.3.1 Added
Exemptions | 7. S.23 R&S
Determination of social assistance |
| 4. S.6 Amdt
Maximum monthly assistance | 8. Commencement |

CNLR 1027/96
as amended

1. Section 2 of the *Social Assistance Regulations* is repealed and the following substituted:

2. In these regulations

Definitions

- (a) "Act" means the *Social Assistance Act*;
- (b) "applicant" means a person who has requested social assistance by completing an application form approved by the minister for that purpose;
- (c) "disabled adult" means an adult who, in the opinion of an officer of the department, requires supportive services to aid independent living;
- (d) "disabled person" means a person who, in the opinion of an officer of the department, requires supportive services to aid independent living;
- (e) "employable single parent family" means a family where the single parent is able-bodied and has no children under the age of 2 years;
- (f) "exempt income" means income received by an applicant or the applicant's spouse in a form that is considered neither income nor liquid assets when determining the applicant's eligibility for social assistance, provided that the income is obtained by means of
 - (i) a federal compensation payment or part of it in respect of a person who
 - (A) has contracted AIDS through the blood system,
 - (B) has suffered birth defects as a result of the use of thalidomide, or
 - (C) is a Japanese Canadian who is eligible under an agreement between the Canadian government and the Japanese Canadian Association,
 - (ii) the Canada Child Tax Benefit received by an applicant or the applicant's spouse for a dependent child or children under the age of 18 years,

- (iii) income from interest from cash in a bank, stocks, bonds, or dividends from a corporation,
- (iv) the Newfoundland and Labrador child benefit,
- (v) a payment under the 1986-1990 Hepatitis C Settlement Agreements, unless the payment is compensation for loss of income or loss of support under section 4.02 or 6.01 of the Transfused HCV or Hemophiliac HCV Plans,
- (vi) the Newfoundland and Labrador low income senior's benefit, or
- (vii) other federal and Newfoundland and Labrador refundable tax credits received by an applicant or an applicant's spouse;
- (g) "family with a disabled child" means a family that , in the opinion of an officer of the department, needs supportive services to care for the child at home;
- (h) "liquid assets" means
 - (i) cash on hand or in the bank, and
 - (ii) readily marketable securities and investments in corporationsbut does not include
 - (iii) funds held in trust for a prepaid funeral by a funeral home at the time of application for social assistance,
 - (iv) a Registered Education Savings Plan,
 - (v) funds from a severance package for the period described in subsection 12(4), or
 - (vi) a Registered Retirement Savings Plan for the value and period described in subsection 12(5);

- (i) "minister" means the minister appointed under the *Executive Council Act* to administer the Act;
- (j) "non-exempt income" means
 - (i) payments under the Canada Pension Plan, old age security, veterans' allowance, compensation under the *Workplace Health, Safety and Compensation Act*, employment insurance benefits, strike pay and pensions to the applicant or his or her spouse or to his or her dependent children from other sources,
 - (ii) interest and income received from a support trust by a disabled adult or a family with one or more disabled adults in accordance with subsection 12(3),
 - (iii) income received from federal training allowances,
 - (iv) the assessment based on 50% of the receipts from rental of rooms on property used as a residence by the applicant or the applicant and his or her family,
 - (v) payments which are monetary in nature or which are quantifiable in monetary terms including payments which are by way of arrears and which are received as child or spousal maintenance or support by the applicant or the applicant's spouse under a private agreement, a domestic contract or a court order,
 - (vi) payments received under the Canada-Newfoundland Student Loan Program and designated for living expenses,
 - (vii) net income received from a severance package which an applicant receives upon permanently severing from his or her employer for the period of time that the severance package is payable,
 - (viii) income resulting from the sale of property or the sale of a fishing licence,
 - (ix) payments received as a result of an inheritance or from an estate, and

- (x) rental income assessed based on 50 % of that income after the deduction of municipal property taxes of rental or real property that is not used by the applicant or the applicant and his or her family;
- (k) "partially exempt income" means income to which an exemption under section 3.1 applies and includes
 - (i) salary and wages of the applicant and his or her spouse, including income obtained from self-employment,
 - (ii) winnings and games of chance or a lottery,
 - (iii) board and lodging income assessed based on 20% of the receipts of board and lodging income from a boarder who is not a relative and that receipt shall not be less than an amount contemplated by paragraph 6(1)(c),
 - (iv) income tax refunds,
 - (v) scholarships or bursaries, and
 - (vi) incentive allowances as approved by the minister;
- (l) "relative" means a son, daughter, mother, father, grandmother or grandfather; and
- (m) "support trust" means a trust fund established for the use and benefit of a disabled adult.

2. Section 3 of the regulations is repealed and the following substituted:

Deduction

3. An officer of the department may authorize a deduction from partially exempt income in a case where, in order to earn that income, expenditure must be incurred.

3. The regulations are amended by adding immediately after section 3 the following:

Exemptions

3.1 The following exemptions shall be applied to partially exempt income as described in paragraph 2(k)

- (a) for income described in subparagraph 2(k)(i), (ii) or (iii),
 - (i) in the case of a single adult, \$75 per month,
 - (ii) in the case of 2 or more persons, \$150 per month,
 - (iii) in the case of an adult with a disability described in paragraph 2(c) or (d), \$95 per month,
 - (iv) in the case of a family with a disability of one or more persons as described in paragraph 2(c), (d) or (g), \$190 per month;
- (b) for income described in subparagraph 2(k)(iv), for an adult or family, \$500 per year;
- (c) for income described in subparagraph 2(k)(v), for an adult or family, \$5,000 per year; and
- (d) for income described in subparagraph 2(k)(vi), in the case of an adult or family, \$175 per month.

4. Paragraph 6(3)(a) of the regulations is amended by deleting the phrase and brackets "(which in this subsection means a parent, a grandparent, a child or a grandchild of a recipient)".

5. Subsection 11(1) of the regulations is repealed and the following substituted:

Determination of
assistance

11. (1) When determining the amount of social assistance to be granted under these regulations, an officer of the department shall deduct from the social assistance to which the applicant is entitled under section 6

- (a) all non-exempt income; and
- (b) all partially exempt income minus
 - (i) the deduction described in section 3, and
 - (ii) the allowed exemptions described in section 3.1.

6. Section 12 is amended by adding immediately after subsection (3) the following:

(4) Notwithstanding subsections (1) and (2), a severance package

(a) is exempt from the provisions of this section for the covering period of the severance package; and

(b) after the period referred to in paragraph (a) has expired, shall be considered a liquid asset.

(5) A Registered Retirement Savings Plan owned by an applicant or his or her spouse which is valued at less than \$10,000

(a) is exempt from the other provisions of this section for the first 90 days in which an applicant or his or her spouse receives social assistance; and

(b) after the period referred to in paragraph (a) has expired, shall, if the Registered Retirement Savings Plan is readily liquefiable, be considered a liquid asset.

7. Section 23 of the regulations is repealed and the following substituted:

Determination of
social assistance

23. (1) An applicant is entitled to social assistance where, for the 60 days preceding the date of his or her application for social assistance, his or her net income described in paragraph 2(j), and in paragraph (k) less the amount described in section 3, in that period does not exceed the rates for social assistance applicable for that period as described in paragraphs 6(1)(a), (c) and (d), plus 40%, and

(a) where the applicant and his or her family are occupying a rented property in that period an amount up to but not exceeding the rates for social assistance applicable for that period as specified in paragraphs 6(3)(a), (b) or (c), plus 40%; or

(b) where, in that period, the applicant and his or her family are occupying a house owned by the applicant that is subject to a mortgage, an amount up to but not exceeding the rates for

social assistance applicable for that period as specified in subparagraphs 6(1)(b)(i), (ii) or (iii), plus 40%; and

(c) if entitled, the benefit specified in paragraph 6(1)(p) may be added.

(2) An applicant who is not entitled to social assistance in accordance with subsection (1) may be reconsidered on the date on which his or her income during the past 60 days has decreased to the level set out in subsection (1).

Commencement

8. These regulations shall come into force on February 1, 2003.

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NEWFOUNDLAND AND LABRADOR REGULATION 8/03

Furbearing Animals Trapping Order, 2002-2003 (Amendment)
under the
Wild Life Regulations
and the
Wild Life Act

(Filed January 21, 2003)

Under the authority of sections 16, 25, 27 and 114 of the *Wild Life Regulations* and the *Wild Life Act*, I make the following Order.

Dated at St. John's, January 16, 2003.

Julie Bettney
Minister of Tourism, Culture and Recreation

REGULATION

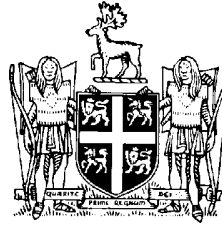
Analysis

1. S.2 Amdt.
Open season trapping

NLR 67/02

1. Section 2 of the *Furbearing Animals Trapping Order, 2002-2003* is amended by striking out "Zone A and B-Jan. 1, 2003 - Feb. 1, 2003 as an open season for lynx and substituting "Zones A and B - Nov. 23, 2002 - Feb. 1, 2003".

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NEWFOUNDLAND AND LABRADOR REGULATION 9/03

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

(Filed January 22, 2003)

Under the authority of section 55 of the *Judicature Act*, the Rules Committee of the Trial Division makes the following rules.

Dated at St. John's, January 21, 2003.

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

RULES

Analysis

- | | |
|--|--|
| 1. Rule 5 Amdt.
Commencement of proceedings | setting aside originating document |
| 2. Rule 6 R&S
Originating and other documents: service | 5. Rule 12.04 Amdt.
Issue and service of third party notice |
| 3. Rule 8.03 Amdt.
Appointment of guardian where person under disability does not oppose proceeding | 6. Rule 14.01 Amdt.
Service of pleadings |
| 4. Rule 10 Amdt.
Defences; filing and service; | 7. Rule 27.07 Amdt.
Sheriff's duty under interlocutory recovery order |
| | 8. Rule 46.17 Amdt.
Service of notice |

- 1. (1) Rule 5.04(1)(c) of the *Rules of the Supreme Court, 1986* is repealed and the following substituted:**

- (2) Rules 5.05(2) and (3) of the rules are repealed.**

RULE 6
ORIGINATING AND OTHER DOCUMENTS:
SERVICE

6.01. (1) An originating document shall be served personally on each defendant as provided in rule 6.02 or by an alternative to personal service as provided in rule 6.03, except on an *ex parte* application or where a rule otherwise provides.

- (2) Documents that are not originating documents do not have to be served personally or by an alternative to personal service unless expressly required by a statute or rule or a Court order.

- (3) An originating document does not have to be served personally or by an alternative to personal service where the defendant unconditionally files a defence or unconditionally appears on the application.

- (4) A document that does not have to be served personally or by an alternative to personal service may be served as provided in rule 6.11 or 6.12.

Personal Service

- 6.02. (1)** Personal service of a document shall be made on

- (a) an individual, by leaving a copy of the document with the individual;

- (b) a body corporate, by leaving a copy of the document with the president, chairman, mayor or other chief officer of the body corporate, or with the manager, secretary, city or town manager or clerk, or other similar officer thereof, or in the manner provided by the *Corporations Act*;
- (c) a partnership sued in the partnership name, by leaving a copy of the document with one or more of the partners, or with a person at the principal place of business of the partnership who appears to manage or control the partnership business there; provided that, if the partnership has been dissolved to the knowledge of the plaintiff before the proceeding is commenced the document shall be served on every person sought to be made liable;
- (d) a minor, by leaving a copy of the document with his or her father, mother or guardian, or if there is no father, mother or guardian, with the person with whom the minor resides or in whose care the minor is, or with the person appointed by the Court; and
- (e) a mentally incompetent person, by leaving a copy of the document with his or her guardian, or if there is no guardian, with the person with whom the mentally incompetent person resides or in whose care the mentally incompetent person is, or with the person appointed by the Court,

and it is not necessary to show the original document.

(2) Where the Court has jurisdiction in a proceeding in respect of a contract, or a contract confers jurisdiction on the Court, and in the contract the parties have agreed on

- (a) a place of service;
- (b) a mode of service; or
- (c) a person upon whom service may be made,

service of the originating document in the proceeding in accordance with the contract is considered to be personal service.

(3) A contractual stipulation for service of a document that commences a proceeding does not invalidate a service otherwise valid.

Alternatives to personal service

6.03. (1) Where a document may be served by an alternative to personal service, service shall be made in accordance with this rule.

(2) Service on a party who has a solicitor is made where the solicitor endorses on the document or a copy of it that he or she accepts service on behalf of a person and the date of the acceptance.

(3) Service of a document may be made by sending a copy of the document to the residential or postal address of the person to be served

(a) by registered mail or certified mail, in which case service is effective on the date the document was delivered to the person as shown on the confirmation of delivery obtained from Canada Post Corporation; or

(b) by sending the document by ordinary mail enclosing an acknowledgement of receipt form, Form 6.03A, and a self-addressed envelope with sufficient postage to return the envelope to the sender, in which case service is effective on the date the sender receives the form bearing a signature that purports to be the signature of the person to be served.

Substituted service

6.04. (1) Where an attempt to personally serve a person at his or her residence is unsuccessful, service may be made, without the need to seek an order of the Court, by

(a) leaving a copy, in a sealed envelope addressed to the person, at the residence with a person who appears to be an adult member of the same household; and

(b) mailing another copy of the document to the person at their residence by ordinary mail on the same day as the attempted personal service or the following day.

(2) Where it is impracticable for any reason to serve an originating document personally or by an alternative to personal service, the Court may make an order for substituted service or an order dispensing with service.

(3) Substituted service of an originating document is made by taking such steps as the Court has ordered to bring the document to the attention of the person to be served.

(4) The court shall specify in an order for substituted service when service in accordance with the order is considered to be effective, for the purpose of computation of time under these rules.

(5) Where an order is made dispensing with service of a document, the document is considered to have been served on the date the order is signed, for the purpose of computation of time under these rules.

(6) Where an originating document contains a claim for the possession of land, the Court may,

(a) if satisfied on an application made without notice to a party, that no person appears to be in possession of the land and that service could not otherwise be made on a defendant, authorize service on that defendant to be made by attaching a copy of the originating document to some conspicuous part of the land; or

(b) make such other order as it thinks just.

(7) An application for an order for substituted service shall be supported by an affidavit stating why it is impractical to serve the document by personal service or an alternative to personal service, and proposing a substitute method of service which, in the opinion of the deponent will, or is likely to, be effective.

(8) An application for an order dispensing with service shall be supported by an affidavit setting out:

(a) evidence which enables the court to draw the inference that the person is likely to be aware that process has been or is about to be issued against him or her and is evading service; or

- (b) other evidence which satisfies the court that the interests of the plaintiff in proceeding with the matter without notice to the person outweigh the potential prejudice to the person of not knowing that proceedings have been taken against him or her.

Where notice not received

6.05. On an application to set aside the consequences of not filing a defence or appearing on an application, an application for an extension of time or an adjournment, a person may show, even though he or she was served with a document in accordance with Rule 6, that the document

- (a) did not come to the person's notice; or
- (b) did come to the person's notice at a time later than when it was served.

Validating service

6.06. Where a document has been served in an unauthorized or irregular manner, the court may make an order validating the service where the Court is satisfied that

- (a) the document came to the notice of the person to be served; or
- (b) the document would have come to the notice of the person to be served, except for the person's own attempts to evade service.

Service of an originating document out of the province

6.07. (1) A document by which a proceeding is commenced may be served outside of the province where,

- (a) the whole subject matter is land situated within the province (with or without rents or profits) or the perpetuation of testimony relating to lands so situated;

- (b) any act, deed, will, contract, obligation or liability affecting land situated within the province is sought to be construed, rectified, set aside or enforced;
- (c) relief is sought against a person domiciled or ordinarily resident within the province;
- (d) the proceeding is for the administration of the estate of a person who died domiciled within the province, or for any relief or remedy which might be obtained in any such proceeding;
- (e) the proceeding is for the execution as to property situated within the province of the trusts of a written instrument that ought to be executed according to the law of the province, and of which the person to be served is a trustee, or the proceeding is for any relief or remedy which might be obtained in any such proceeding;
- (f) the proceeding is to enforce, rescind, resolve, annul or otherwise affect a contract or to recover damages or obtain any other relief in respect of the breach of a contract, being (in any case) a contract
 - (i) made within the province,
 - (ii) made by or through an agent trading or residing within the province on behalf of a principal trading or residing out of the province,
 - (iii) which is by its terms, or by implication governed by the law of the province, or
 - (iv) in which the parties thereto agree that the courts of the province shall have jurisdiction to entertain any action in respect of the contract;
- (g) the proceeding is in respect of a breach committed within the province of a contract made within or out of the province, and irrespective of the fact, if that is the case, that the breach was preceded or accompanied by a breach committed out of the province that rendered impossible the performance of so

much of the contract as ought to have been performed within the province;

- (h) the proceeding is founded on a tort committed within the province;
- (i) in the proceeding an injunction is sought ordering a defendant to do or refrain from doing anything within the province (whether or not damages are also claimed in respect of a failure to do or the doing of that thing);
- (j) a person out of the province is a necessary or proper party to a proceeding properly brought against another person served within the province;
- (k) the proceeding is by a mortgagee of property situated within the province and seeks the sale of the property, the foreclosure of the mortgage or delivery by the mortgagor of possession of the property (but not an order for the payment of any monies due under the mortgage);
- (l) the proceeding is brought by a mortgagor of property situated within the province and seeks redemption of the mortgage, reconveyance of the property or delivery by the mortgagee of possession of the property (but not one which seeks to enter a personal judgment);
- (m) the proceeding is founded upon an order of any court of the province;
- (n) the proceeding is a probate action otherwise engaging the jurisdiction of the court; or
- (o) by statute a proceeding may be commenced in the province.

(2) Where rule 6.07(1) does not apply, the court may, upon an application supported by affidavit or other evidence showing that the proceeding has a real and substantial connection to the province and showing in what place or country the defendant is or probably may be found, order that an originating document be served on the defendant in that place or country and make another order as it thinks fit.

(3) An originating document that is served outside the province without leave under rule 6.07(1) shall identify which paragraph of rule 6.07(1) permits that service and set out the supporting facts.

(4) Where an originating document is served outside the province with leave under rule 6.07(2), the originating document shall be served with a copy of the order granting leave and a copy of the affidavit used to obtain the order.

(5) Notwithstanding rule 10.02(1), where an originating document is served outside the province under rule 6.07(1) or (2), the time for filing a defence or to appear on the hearing of an application shall be

- (a) 30 days, where the document is served on a person residing in Canada;
- (b) 45 days, where the document is served on a person residing in the United States of America; or
- (c) 60 days, where the document is served on a person residing elsewhere,

unless otherwise ordered by the court.

(6) Where an originating document is served under rule 6.07(1) or (2), the Court has jurisdiction to proceed and adjudicate in the proceeding as if the defendant or respondent had been properly served within the jurisdiction of the Court.

(7) A person who has been served with an originating document outside of the province may apply without submitting to the jurisdiction of the court, before filing or serving a defence or appearing on an application,

- (a) for an order setting aside the service and any order that authorized the service; or
- (b) for an order staying the proceeding.

(8) Where the court concludes on an application under rule 6.07(7) that service outside the province was not authorized by rule 6.07(1), but the case is one in which it would have been appropriate to

grant leave to serve under rule 6.07(2), the court may make an order validating the service.

Originating document: manner of service outside the province

6.08. (1) In rules 6.08, 6.09 and 6.16,

- (a) "contracting state" means a contracting state under the Hague Convention
- (b) "Hague Convention" means the Hague Convention on the Service Abroad of Judicial and Extra-Judicial Documents in Civil or Commercial Matters.

(2) An originating document may be served outside the province in a jurisdiction that is a contracting state in a manner permitted under the Hague Convention.

(3) An originating document may be served outside the province in a jurisdiction that is not a contracting state

- (a) in a manner provided by these rules for service within the province, or
- (b) in a manner provided by the law of the jurisdiction where service is made if, by that manner of service, the document could reasonably be expected to come to the notice of the person to be served.

Originating document: proof of service out of the province

6.09. (1) Service of an originating document outside the province in a jurisdiction that is a contracting state may be proved in accordance with the Hague Convention.

(2) Service of an originating document outside the province in a jurisdiction that is not a contracting state may be proved

- (a) in a manner provided by these rules for proof of service within the province, or
- (b) in the manner provided for proof of service by the law of the jurisdiction where service is made.

Pleading: service

6.10. A statement of claim with notice attached shall be served as provided in rule 6.01(1); a defence as provided in Rule 10; a counter-claim or defence thereto as provided in Rule 11; and a third party notice or defence thereto as provided in Rule 12.

Service of non-originating documents

6.11. (1) Service on any person of a document, not being a document required by these rules to be served personally or by an alternative to personal service, may be made

- (a) by leaving the document or a copy at the person's address;
- (b) by mailing the document or a copy addressed to the person at the person's proper address;
- (c) in accordance with Rule 6A; or
- (d) in such other manner as the Court may order.

(2) For the purpose of rule 6.11(1), the proper address of a party is

- (a) the address for service of the party's solicitor as shown on the originating document or pleading; or
- (b) where a party brings or opposes a proceeding in person, the party's address for service within the jurisdiction as shown on the originating document or pleading.

(3) For the purposes of rule 6.11(1), the proper address of a person who is not a party, or of a party whose proper address is not shown on the originating document or pleading shall be

- (a) in any case, the business address of the solicitor who is acting for that party in the proceeding at which service of the document in question is to be made;
- (b) in the case of an individual, his or her usual or last known address;

(c) in the case of individuals who are suing or being sued in the name of the firm, the principal or last known place of business of the firm within the jurisdiction; and

(d) in the case of a body corporate, the registered or principal office thereof.

(4) Unless the contrary is proven, any document served by post shall be considered to be served,

(a) where the delivery is within the province, on the seventh day following that upon which the letter, envelope or wrapper containing the document is posted, and in proving such service it shall be sufficient to prove that the letter, envelope or wrapper containing the document was properly addressed and put in the post office with the postage prepaid thereon; and

(b) where the delivery is outside the province, on the day the document would in the normal course of post be delivered.

(5) Where a person attends during regular office hours at the office of a solicitor of a party to serve a document that does not commence a proceeding and the office of the solicitor is closed or no one is in attendance to accept service of the document, service may be made by mailing the document, postage prepaid, at any time during the same day addressed to the solicitor at the solicitor's office, and the document shall be considered to have been served at the time of the attendance at the office of the solicitor.

(6) Nothing in this rule shall be taken as prohibiting personal service of any document or as affecting any statute which provides for the manner in which a document may be served.

Service of certain documents on person under disability

6.12. (1) Where a document not required by these rules to be served personally or by an alternative to personal service is to be served on a person under disability, service shall be made in accordance with this rule.

(2) Subject to the following provisions of this rule the document shall be served,

- (a) in the case of a minor who is not also a mentally incompetent person, on the minor and
 - (i) where the minor resides with a parent, guardian or another person who has the care or custody of the minor, on the parent, guardian or other person, and
 - (ii) where the Court has appointed a guardian of the minor, on the guardian.
 - (b) in the case of a mentally incompetent person, on the guardian of the estate of the mentally incompetent person or the guardian *ad litem* of such person or, if there is no such guardian, on the person with whom the mentally incompetent person resides or in whose care the mentally incompetent person is.
- (3) Notwithstanding rule 6.12(2), the Court may order that a document which has been, or is to be, served on the person under disability or on a person other than a person mentioned in that paragraph, shall be considered to be duly served on the person under disability.
- (4) An order requiring a person to do or refrain from doing any act, other than pursuant to a form of discovery, or where an order is for the committal of such a person, the order shall also, if that person is a person under disability, be served personally on that person unless the Court otherwise orders.

Effect of service after certain hours

6.13. Personal service of originating and other documents may be made on any day of the week provided that for the purpose of computing a period of time subsequent to that service

- (a) a document served after the hour of five in the afternoon on Monday to Thursday shall be considered to have been served on the day following the day of service; and
- (b) a document served after the hour of five in the afternoon on Friday or served on Saturday or Sunday shall be considered to have been served on the following Monday.

Affidavit of service

6.14. (1) The service of a document may be proved by an affidavit in Form 6.14A.

(2) A written acceptance of service of a document by a party's solicitor or a party's agent need not be verified by affidavit.

No service required in certain cases

6.15. Where under a rule, a document is required to be served on a person but is not required to be served personally or by an alternative to personal service, and, at the time when service is to be made, the person is in default as to filing a defence or appearing on an application or has no address for service, the document need not be served on that person unless the Court otherwise orders or a rule otherwise provides.

Default under the Hague Convention

6.16. (1) Where an originating document has been transmitted abroad for the purpose of service under the provisions of the Hague Convention and no certificate of service or delivery has been received, notwithstanding the provision of the first paragraph of Article 15 of the Hague Convention, the Court may give judgment if the conditions set out in the second paragraph of Article 15 of the Hague Convention are fulfilled.

(2) Notwithstanding rule 6.16(1), the Court may order, in case of urgency, any provisional or protective measures.

(3) Where an originating document has been transmitted abroad for the purpose of service under the provisions of the Hague Convention and a judgment has been entered against a defendant who has not defended, the Court, on application, may relieve the defendant from the effects of the expiration of the time for appeal from the judgment if the conditions set out in the first paragraph of Article 16 of the Hague Convention have been fulfilled, but the Court will not entertain an application for such relief filed after the expiration of one year following the date of judgment.

(4) Rule 6.16(3) shall not apply to judgments concerning the status or capacity of persons.

Form 6.03A

(rule 6.03(3))

Acknowledgement Of Receipt Form

20____No. ____

In the Supreme Court of Newfoundland and Labrador
Trial Division

BETWEEN A.B. _____ PLAINTIFF

and

C.D. _____ DEFENDANT

TO: (full name)

You are served by mail with the documents enclosed with this form in accordance with the *Rules of Supreme Court, 1986*.

You are requested to sign the acknowledgement below and mail this form immediately after you receive it. If you fail to do so, the documents may be served on you in another manner and you may have to pay the costs of service.

ACKNOWLEDGEMENT OF RECEIPT

I ACKNOWLEDGE that I have received a copy of the following documents: (To be completed in advance by the sender of the documents. Include sufficient particulars to identify each document).

(signature of person served)

Form 6.14A

(rule 6.14(1))

Affidavit Of Service

20____No. ____

In the Supreme Court of Newfoundland and Labrador
Trial Division

BETWEEN A.B. _____ PLAINTIFF

and

C.D. _____ DEFENDANT

I, (your name), of (city of residence), make oath and say as follows:

(Personal Service)

1. On (date), at (time), I served (identify person served) with the (identify documents served) by leaving a copy with him (or her) at (address where service was made). (Where the rules provide for personal service on a corporation, etc. by leaving a copy of the document with another person, substitute: by leaving a copy with (identify person by name and title) at (address where service was made).)

2. I was able to identify the person by means of (state the means by which the person's identity was ascertained.)

(Service by leaving a copy with an adult person in the same household as an alternative to personal service)

1. I served (identify person served) with the (identify documents served) by leaving a copy on (date), at (time), with a person (insert name if known) who appeared to be an adult member of the same household in which (identify person served) is residing, at (address where service was made), and by sending a copy by regular lettermail

(or registered or certified mail) on (date) to (identify person served) at the same address.

2. I ascertained that the person was an adult member of the household by means of (state how it was ascertained that the person was an adult member of the household).

3. Before serving the documents in this way, I made an unsuccessful attempt to serve (identify person) personally at the same address on (date). (If more than one attempt has been made, add: and again on (date).)

(Service by registered mail as an alternate to personal service)

1. On (date), I sent to (identify person served) by registered mail with Canada Post Corporation item # _____ attached to the envelope, a copy of the (identify documents served).

2. Attached is the confirmation of delivery receipt obtained from Canada Post Corporation for item # _____ showing the envelope was delivered to (identify person served) on (date of receipt).

3. The item # on the confirmation of delivery receipt is identical to the item number on the registered mail receipt obtained from Canada Post Corporation for the envelope sent to (address where mail was delivered).

(Service by certified mail as an alternative to personal service)

1. On (date), I sent to (identify person served) by certified mail a copy of the (identify documents served).

2. I received the attached receipt card from Canada Post Corporation which indicates the documents were received on (date) and which bears a signature that purports to be the signature of (identify person).

(Service by regular lettermail as an alternative to personal service)

1. On (date), I sent to the (identify person served) by regular lettermail a copy of the (identify documents served) together with an acknowledgment of receipt form.

2. On (date), I received the attached acknowledgment of receipt form bearing a signature that purports to be the signature of (identify person).

SWORN (OR AFFIRMED) to at St. John's, Newfoundland and Labrador this _____ day of _____, 20____, before me:

3. Rule 8.03(3) of the rules is amended by striking out "rule 6.03" and substituting "rule 6.02".

4. (1) Rule 10.04 of the rules is repealed and the following substituted:

Service of defence

10.04. A defendant shall serve a copy of the defence on the plaintiff in accordance with rule 6.11.

(2) Rule 10.05(1)(c) of the rules is repealed and the following substituted:

(c) setting aside any order giving leave to serve the originating document on the defendant; or

5. Rule 12.04(1) of the rules is repealed and the following substituted:

Issue and service of third party notice

12.04. (1) A third party notice shall be issued in accordance with rule 12.02(1) and served on the third party in accordance with rule 6.02 or 6.03, and a copy of the order, if any, and a copy of the originating document and any pleadings in the proceeding between the plaintiff and the defendant shall be served with the third party notice.

6. Rule 14.01(1) of the rules is repealed and the following substituted:

Service of pleadings

14.01. (1) A statement of claim shall be served as provided in rules 6.01(1) and 6.07, a defence as provided in rule 10.04, a counterclaim and defence thereto as provided in rules 11.01 and 11.02, and a third party notice and defence thereto as provided in rules 12.03 and 12.04.

7. Rule 27.07(1) of the rules is amended by striking out "rule 6.03(1)(b)" and substituting "rule 6.02(1)(b)".

8. Rule 46.17 of the rules is amended by striking out "rule 6.15(1)" and substituting "rule 6.14(1)".

9. Rule 53.02(3)(c) of the rules is repealed and the following substituted:

(c) order service of the application and any supporting affidavit to be made by alternative service in accordance with rule 6.03 or substituted service in accordance with rule 6.04.

Commencement

10. These rules shall come into force on February 1, 2003.

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NEWFOUNDLAND AND LABRADOR REGULATION 10/03

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

(Filed January 22, 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, January 21, 2003.

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

RULES

Analysis

- | | |
|--------------------------------|--|
| 1. Rule 57.03 Amdt.
Appeals | 2. Rule 57.04 Amdt
Tribunal appeals |
| | 3. Commencement |

1. (1) Rule 57.03(3) of the *Rules of the Supreme Court, 1986* is amended by deleting the reference to "rule 6.12" and substituting "rule 6.11".

(2) Rule 57.03(4) of the rules is amended by deleting the reference to "rule 6. 12" and substituting "rule 6.11".

2. Rule 57.04 of the rules is amended by deleting the reference to "rule 6.12" and substituting "rule 6.11".

Commencement

3. These Rules shall come into force on February 1, 2002.

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January 24, 2003

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