



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 78

ST. JOHN'S, FRIDAY, JANUARY 31, 2003

No.5

APPOINTMENTS

Aides-de-Camp

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

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

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

HONOURABLE EDWARD ROBERTS
Lieutenant Governor

Jan 31

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

**NOTICE OF REDEMPTION
TO THE HOLDERS OF THE
PROVINCE OF
NEWFOUNDLAND AND LABRADOR
11% SINKING FUND DEBENTURES
SERIES 5Q DUE MARCH 4, 2006**

In accordance with the terms of the above Province of Newfoundland and Labrador Debentures, notice is hereby given that the Province of Newfoundland and Labrador will redeem, and hereby calls for redemption, on the 4th day of March 2003, all of the above-noted Debentures then outstanding.

Debentures should be presented to the bank or financial institution with which the holder normally transacts business*. Upon presentation and surrender, Debentures registered as to principal and interest and bearer Debentures will be redeemed at 100% of the principal amount thereof.

On fully registered Debentures, accrued interest for the period ending March 4, 2003, will be paid in the usual manner by cheque mailed to the registered holders by CIBC Mellon Trust Company. On bearer Debentures, coupons due March 4, 2003, should be presented for payment in the normal fashion.

Since interest on the Debentures ceases to accrue after March 4, 2003, the coupons due September 4, 2003 and thereafter will not be paid. The Province of Newfoundland and Labrador reminds Debentureholders that, in accordance with the terms of the Debentures, all interest coupons maturing subsequent to March 4, 2003 should be presented with the Debentures.

Questions pertaining to this redemption may be directed to CIBC Mellon Trust Company, Registrar, at (514) 285-3617.

DATED this 31st day of January, 2003

* To obtain payment, Debentureholders should present their Debentures (with a copy of this Notice) to the bank or financial institution with whom they normally deal, which will, in turn, obtain payment from the Canadian Imperial Bank of Commerce.

PROVINCE OF
NEWFOUNDLAND AND LABRADOR

Jan 31

URBAN AND RURAL PLANNING ACT

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

Take notice that the Town of Little Catalina Municipal Plan Amendment No. 1, 2002 and Development Regulations Amendment No. 1, 2002, adopted on the 24th day of October and approved on the 12th day of November 2002, had been registered by the Minister of Municipal and Provincial Affairs.

The Town of Little Catalina 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 Town of Little Catalina Municipal Plan Amendment No. 1, 2002 and Development Regulations Amendment No. 1, 2002 may do so at the Town Office, Little Catalina during normal working hours.

TOWN OF LITTLE CATALINA
Town Clerk

Jan 31

**LANDS ACT
NOTICE OF INTENT**

Lands Act, Chapter 36, S.N. 1991

Notice is hereby given that Newfoundland and Labrador Hydro of St. John's, Newfoundland and Labrador intends to apply to the Department of Government Services and Lands, two months from the publication of this notice, to acquire title, pursuant to Section 7(2) of the said Act, all that piece or parcel of Crown Land situated within fifteen metres of the waters of McCallum Harbour, in the Electoral District of Fortune Bay- Cape La Hune, Newfoundland and Labrador, for the purpose of Commercial Storage Tanks and being more particularly described as follows:

*Bounded on the North by Crown Land
for a distance of 10 m;
Bounded on the East by McCallum Harbour
for a distance of 20 m;
Bounded on the South by Public Works Canada Wharf
for a distance of 10 m;
Bounded on the West by NF & Lab Hydro*

*for a distance of 20 m;
and containing an area of
approximately 110 square metres.*

Any person wishing to object to the application must file the objection, in writing, within one month from the date of publication of this notice, with reasons for it, to the Minister of Government Services and Lands, c/o the nearest Regional Lands Office.

For further information regarding the proposed application, please contact John Cooper, (709) 737-1944.

Jan 31

NOTICE OF INTENT

Lands Act, Chapter 36, S.N. 1991

Notice is hereby given that Newfoundland and Labrador Hydro of St. John's, Newfoundland and Labrador intends to apply to the Department of Government Services and Lands, two months from the publication of this notice, to acquire title, pursuant to Section 7(2) of the said Act, all that piece or parcel of Crown Land situated within fifteen metres of the waters of Parker River, in the Electoral District of Straits/White Bay North, Newfoundland and Labrador, for the purpose of a Distribution Line and being more particularly described as follows:

*Bounded on the North by Crown Land
for a distance of 30 m;
Bounded on the East by Crown Land
for a distance of 15 m;
Bounded on the South by Crown Land
for a distance of 30 m;
Bounded on the West by Crown Land
for a distance of 15 m;
and containing an area of
approximately 450 square metres.*

Any person wishing to object to the application must file the objection, in writing, within one month from the date of publication of this notice, with reasons for it, to the Minister of Government Services and Lands, c/o the nearest Regional Lands Office.

For further information regarding the proposed application, please contact John Cooper, (709) 737-1944.

Jan 31

NOTICE OF INTENT

Lands Act, Chapter 36, S.N. 1991

Notice is hereby given that Newfoundland and Labrador Hydro of St. John's, Newfoundland and Labrador intends to apply to the Department of Government Services and Lands, two months from the publication of this notice, to acquire title, pursuant to Section 7(2) of the said Act, all that piece or parcel of Crown Land situated within fifteen metres of the waters of the Gulf of St. Lawrence (Deadman's Cove), in the Electoral District of St. Barbe, Newfoundland and Labrador, for the purpose of a Distribution Line and being more particularly described as follows:

*Bounded on the North by Crown Land
for a distance of 30 m;
Bounded on the East by Crown Land
for a distance of 10 m;
Bounded on the South by Crown Land
for a distance of 30 m;
Bounded on the West by Crown Land
for a distance of 10 m;
and containing an area of
approximately 300 square metres.*

Any person wishing to object to the application must file the objection, in writing, within one month from the date of publication of this notice, with reasons for it, to the Minister of Government Services and Lands, c/o the nearest Regional Lands Office.

For further information regarding the proposed application, please contact John Cooper, (709) 737-1944..

Jan 31

QUIETING OF TITLES ACT

**2003 05 T 0011
IN THE SUPREME COURT
OF NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION**

IN THE MATTER OF an Application of Lloyd Noseworthy of the Town of Gambo, in the Province of Newfoundland and Labrador,

AND

IN THE MATTER OF the *Quieting of Titles Act*, Chapter Q-3 of the Revised Statutes of Newfoundland, 1990,

AND

IN THE MATTER OF a piece or parcel of land situate at Sandringham, in the Province of Newfoundland and Labrador.

NOTICE OF APPLICATION

NOTICE IS HEREBY GIVEN to all parties that Lloyd Noseworthy of the Town of Gambo, in the Town of Gambo, in the Province of Newfoundland and Labrador, have applied to the Supreme Court of Newfoundland and Labrador, Trial Division, to have title to ALL THAT piece or parcel of land described in Schedule "A" hereto annexed, and shown in Schedule "B" hereto annexed, being more particularly delineated in the plan filed with the Application in this matter in the Registry of the Supreme Court of Newfoundland and Labrador, Trial Division, investigated and for a Declaration that Lloyd Noseworthy is the absolute owner thereof.

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

DATED at Gander, in the Province of Newfoundland and Labrador, this 17th day of December, 2002.

EASTON FACEY HILLIER LAWRENCE
Solicitors for the Applicant
Per: Carson L. Lawrence

ADDRESS FOR SERVICE:
P. O. Box 408
Gander, NL
A1V 1W8

Jan 31

SCHEDULE "A"

Lloyd Noseworthy
Sandringham, NL

ALL that piece or parcel of land situate and being on the northern side of the Main Road at Sandringham, in the electoral district of Terra Nova, Newfoundland and Labrador and being bound and abutted as follows:

Beginning at a point, said point being an iron pin set in the most northerly corner of other land of Lloyd Noseworthy and having reference from Control Monument No. 89G6198 of S14° 12' 26" W 204.906 metres.

Thence running by Crown Land N 51° 54' 17" E 39.929 metres; N 62° 54' 17" E 211.836 metres; S 35° 05' 43" E 76.800 metres;

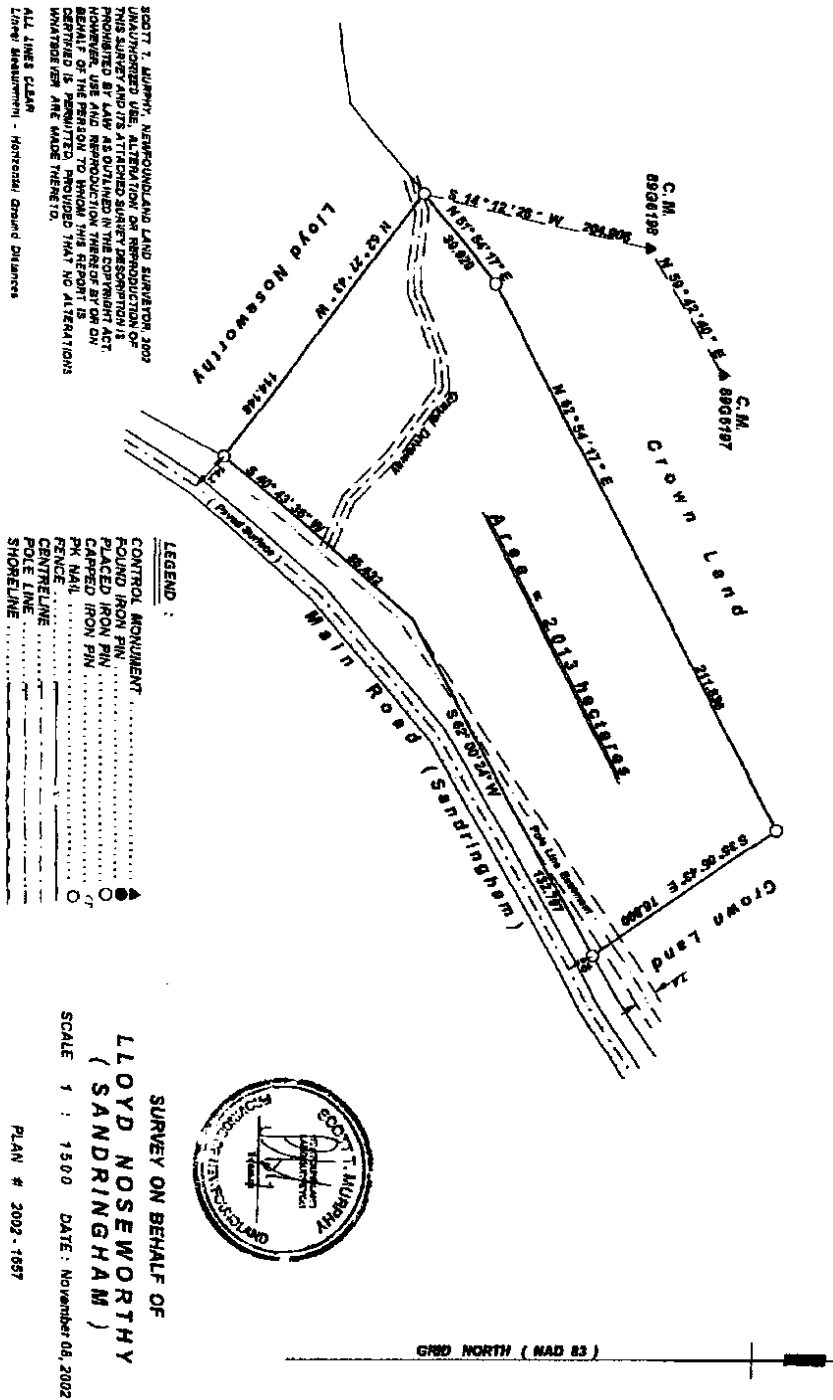
Thence running along the northern side of the Main Road S 62° 00' 24" W 132.797 metres; S 40° 43' 36" W 86.432 metres;

Thence running by other land of Lloyd Noseworthy N 52° 27' 43" W 114.148 metres, more or less to the point of beginning.

The above described parcel contains an area 2.013 hectares, more or less, and is more particularly shown on the attached plan dated November 08, 2002.

The above described parcel is subject to a Pole Line Easement (7.4 metres Wide) that runs along the southern boundary of said parcel.

All Bearings premise that the Grid Bearing (NAD 83) from Control Monument No. 89G6198 to Control Monument No. 89G6197 is N 59° 42' 40" E.



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:-

MARGARET ANDERSON

of P. O. Box 1709, Stn B, Happy Valley-Goose Bay, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

JANINE SELMA SUZANNE FORD
to
JANINE SELMA SUZANNE ANDERSON

DATED this 23rd day of January, 2003.

MARGARET (PEGGY) ANDERSON
(Signature of Applicant)

Jan 31

**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:-

ELIZABETH ANNE BUCKLE

of 87 Sunrise Avenue, Mount Pearl, A1N 1C2, in the Province of Newfoundland and Labrador, as follows:

To change my name from

ELIZABETH ANNE BUCKLE
to
ELIZABETH ANNE ROSS

DATED this 27th day of January, 2003.

ELIZABETH BUCKLE
(Signature of Applicant)

Jan 31

**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:-

PAULINE LEGGE

of Box 2775, RR # 2, Corner Brook, A2H 6B9, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried children's name from

SHANE CHARLES JAMES KENDALL
to
SHANE CHARLES JAMES LEGGE

LACEY JENETTE KENDALL
to
LACEY JENETTE KENDALL-LEGGE

DATED this 20th day of January, 2003.

PAULINE LEGGE
(Signature of Applicant)

Jan 31

**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:-

CORRINA ANN PENNEY

of P. O. Box 1423, Clarenville, A0C 1P0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

DAMION HAYWARD SHANE BURTON
to
DAMION HAYWARD SHANE PENNEY

DATED this 16th day of January, 2003.

CORRINA PENNEY
(Signature of Applicant)

Jan 31

MEDICAL ACT

REGISTERED MEDICAL PRACTITIONERS

The medical practitioners and others whose names are appended hereto have been registered by the Newfoundland Medical Board according to the provision of the *Medical Act*, M-4 RSN. 1990.

Medical Register (Section 14 - Medical Act)

Dr. Beverly Jeanette Abbott
Dr. Aboosaly Zainul Abdeen
Dr. Meenaxi Surendra Acharya
Dr. Sanjay Vipinchandra Acharya
Dr. Surendra Devi Prasad Acharya
Dr. Grenfell Bert Adams
Dr. Lorne Wilson Adams
Dr. Amin Mohamed Addetia
Dr. Tanis Lee Adey
Dr. Shakeela Ahmed
Dr. Olaniyi Funso Ajisafe
Dr. Catherine Ann Alderdice
Dr. David James Allison
Dr. Caroline A.S.H. Alteen
Dr. Lawrence Walter Alteen
Dr. Canagasundram Anandakrishnan
Dr. Indira Anandakrishnan
Dr. Kenneth Anderson
Dr. Wayne Lewis Andrews
Dr. John Michael Angel
Dr. George Matthew Anjilvel
Dr. Lily Immanuel Anjilvel
Dr. Samir Michael Antowan
Dr. William Edward Arsenaault
Dr. Ikhimihiagie Felix Asekombe
Dr. Simon Paul Avis
Dr. Khalid Aziz
Dr. Nassir Badrudin
Dr. Douglas Keith Baggs
Dr. Geoffrey Albert Bailey
Dr. Anton Daryl Baksh
Dr. Thomas Maxwell Barbour
Dr. John Alexander Barnhill
Dr. Brendan Joseph Barrett
Dr. Jane Ruth Barron
Dr. Barbara Grace Barrowman
Dr. Elias Ioanni Bartellas
Dr. Ola Jill Barter
Dr. Richard Berkeley Barter
Dr. Peter John Bartlett
Dr. Pravin Batohi
Dr. Natalie Rose Battcock
Dr. Stephen George Battcock
Dr. Tony F. Batten

Dr. Elizabeth Marie Bautista
Dr. Michael John Bautista
Dr. William Bavington
Dr. Kevin P. Beamont
Dr. David Joseph Beatty
Dr. Regina Becker
Dr. Sunmolu Akinlolu Beckley
Dr. Douglas Frederick Bennett
Dr. Jean Marc Benoit
Dr. Michael H.J. Bense
Dr. Philip Damien Beresford
Dr. Safa Beshai
Dr. Leoncio Mauricio Best-Spence
Dr. Cheri Elsie Heather Bethune
Dr. Rajdeep Singh Bhatia
Dr. Leigh Ray Bishop
Dr. James Howard Smith Black
Dr. Peter Blanchard Blackie
Dr. Peter Jerrett Blackwood
Dr. Krista Jean Marie Blundell
Dr. Charles Boddie
Dr. Rafik Sobhy Bolis
Dr. Stephen Paul Bonisteel
Dr. Francis Lennox Boodansingh
Dr. Darrell Craig Boone
Dr. Mark Ram Borgaonkar
Dr. Ram Dattatraya Borgaonkar
Dr. Enrique Berdin Borja
Dr. James Donald Bowen
Dr. Beverley Lynette Burt Bowes
Dr. Michael Ian Bowmer
Dr. Alec Wayne Brace
Dr. Catherine Mary Bradbury
Dr. Robert John Brake
Dr. Mark Arthur Brannan
Dr. David Malcolm Brentnall
Dr. Spencer Moody Bridger
Dr. Tracey Lynn Bridger
Dr. Thomas Aloysius Brien
Dr. Christina Annette Brown
Dr. Gregory Steven Brown
Dr. Murray Carol Brown
Dr. Noel John Browne
Dr. Helen Elizabeth Bruce
Dr. Karl Joseph Bruff
Dr. Frederick J. Brushett
Dr. Sean Alexis Buckingham
Dr. David Buckley
Dr. Kenneth James Burrage
Dr. Ronald Ford Bursey
Dr. Douglas Ernest Butler
Dr. Robert Frederick Butler
Dr. Roger Granville Butler
Dr. Robert Murcell Butt
Dr. Eric Gilbert Button

Dr. Lonzel Button	Dr. Joan Crane
Dr. Walter Wayne Button	Dr. Harold Crewe
Dr. Ismail Cajee	Dr. Jeffrey Neil Critch
Dr. Elizabeth Anne Callahan	Dr. Percy R. Crocker
Dr. Peter Joseph Callahan	Dr. John Charles Cronhelm
Dr. Deborah Marie Callahan-Dyer	Dr. Douglas Robinson Crosbie
Dr. Terrence S. Callanan	Dr. Victoria Anne Crosbie
Dr. Yuri Canete	Dr. Joseph Cserny
Dr. Thomas Cantwell	Dr. Nancy Culleton
Dr. Christine Linda Caravan	Dr. Margaret Laura Culliton
Dr. Barbara Anne Carlson	Dr. Bryan Michael Curtis
Dr. V. Ronald Carrigan	Dr. Joseph Anthony Curtis
Dr. Ebrahim Carrim	Dr. Michael George Cutler
Dr. Robert Morgan Carter	Dr. Maurice T. Dalton
Dr. Ann Patricia Casey	Dr. Mary Margaret Daly
Dr. Carmel Casey	Dr. Essandoh Kweku Dankwa
Dr. William Edmund Casey	Dr. Stephen Darcy
Dr. Georgina Claire Chalker	Dr. Albert John Davis
Dr. Harnahalli B. Chandra Sekhar	Dr. Jerome John Davis
Dr. Domino Roy Chaulk	Dr. Lesa Marie Dawson
Dr. Donald Adrian Chaulk	Dr. Francois De Wet
Dr. Janet Bowdring Chaytor	Dr. Mervyn Maynard Dean
Dr. Kathy Leanne Chaytor	Dr. Robert Henry Deane
Dr. Mammen Cheriyan	Dr. Henri Deguire
Dr. Anil Kumar Somanna Chettimada	Dr. Martina Delaney
Dr. Shashikant Madhav Chittal	Dr. Ronald Kenneth Delaney
Dr. Jarmila Chrappa	Dr. Terrence Joseph Delaney
Dr. Barry Arthur Clarke	Dr. Nebojsa Denic
Dr. Gillian Isabella Clarke	Dr. John Terry Dennis
Dr. Harry Joseph Clarke	Dr. Ghanshyam Raojibhai Desai
Dr. Sylvia Maria Clarke	Dr. Ragaie El Sayed G. Diebes
Dr. Peter J. Cleary	Dr. Karolyn Marie Dobbin
Dr. Marina Joy Cluett	Dr. Delores Doherty
Dr. Michael Terence Cohen	Dr. Anna Maria Dominic
Dr. S. Ann Colbourne	Dr. Catherine Anne Donovan
Dr. Jeffrey Stephen Cole	Dr. John Raymond Doucet
Dr. David Allison Coleman	Dr. Bruce Doulton
Dr. John Maurice Collingwood	Dr. Donald Dow
Dr. Peter William Collingwood	Dr. Geoffrey Francis Downton
Dr. David Joseph Collins	Dr. Aidan Drover
Dr. Edmund Wilson Collins	Dr. Douglas Nigel Drover
Dr. Wayne Boyde Collins	Dr. H. Blair Drover
Dr. Ernest Leonard Collis	Dr. Francis Patrick Duff
Dr. Carrie Ann Comerford	Dr. Gavin Duffy
Dr. R. Cyril Condon	Dr. Norah Ann Theresa Duggan
Dr. Sean Connors	Dr. Peter Raymond Duggan
Dr. Valentine Henry Conway	Dr. Thomas D'arcy Duggan
Dr. Donald Malcolm Cook	Dr. Nigel John Duff Duguid
Dr. Austin Richard Cooper	Dr. Pauline Sara Duke
Dr. Thomas George Costello	Dr. Sandra Marie Duke
Dr. Gail Dorothy Cowan	Dr. Evelyn Dorothy Dumka
Dr. Christopher Randall Cox	Dr. James T. Dunne
Dr. David Francis Craig	Dr. M. Maureen Dunne
Dr. Joseph Cowan Craig	Dr. Derek Joseph Dunphy
Dr. Benvon Cramer	Dr. Lynn Elizabeth Dwyer

Dr. William Henry Eaton	Dr. Maria Teresa Gibbons
Dr. John Maxwell Edgecombe	Dr. Atamjit Singh Gill
Dr. Robert Edington	Dr. Francis A. Gillespie
Dr. Henry William Kearney Edstrom	Dr. Ruth Ann Gingrich
Dr. Ethelbert William Edwards	Dr. Adolphe Albert Giovannini
Dr. Gert Ehlers	Dr. Alan Edward Goodridge
Dr. Eric Elli	Dr. Maria Katherine Goodridge
Dr. Ford John Elms	Dr. Boyd Edgar Goodyear
Dr. Carlos Emiliano Enriquez	Dr. David Gough
Dr. Khalid Enver	Dr. Moonsamy Ramsamy Govender
Dr. Fakhruddin Kassamali Essaji	Dr. Jamie Douglas Graham
Dr. Susan M. Fagan	Dr. Wendy Rosalind Graham
Dr. Marie Theresa Fagan O'Dea	Dr. Barbara Louise Grandy
Dr. Samuel Tewfiek Fam	Dr. William Frederick Grant
Dr. John Michael Fardy	Dr. Robert George Green
Dr. Robert Charles Farmer	Dr. Carol Joy Greene
Dr. Gerard Joseph Farrell	Dr. Mabel Theresa Greene
Dr. Robert T. Farrell	Dr. Marion Elizabeth Greene
Dr. Tricia Ann Feener	Dr. David G. Greenland
Dr. William Aloysius Felix	Dr. Jonathan David Greenland
Dr. Ian Charles Feltham	Dr. Richard Edward Greenwood
Dr. Thomas Dermot Ryan Feore	Dr. Kuljit Singh Grewal
Dr. Bridget Ann Fernandez	Dr. Michael Gross
Dr. Dzintra Fernandez	Dr. Subhas Chandra Guha
Dr. Carolyn Frances Few	Dr. Wayne Peter Gulliver
Dr. Frank Fifield	Dr. Padmavathy Guntamukkala
Dr. Charlene Deirdre Fitzgerald	Dr. Azad Singh Guron
Dr. Gerald William N. Fitzgerald	Dr. David J. Guy
Dr. Janice Fitzgerald	Dr. Nanette Hache
Dr. Donald Gerard Fitzpatrick	Dr. Michael Hall
Dr. Blair David Fleming	Dr. Kathleen Marie Halley
Dr. Heather M. Flynn	Dr. Cherine Reggie Charles Hamdy
Dr. James Francis Flynn	Dr. Azza Abdel Wahab Hamed
Dr. Joshua Francis Foley	Dr. Lucie Hamelin
Dr. Jacques-Pierre Fontaine	Dr. Sean Francis Hamilton
Dr. Robert George Porter Forsey	Dr. John Pierce Hand
Dr. Robert George Forward	Dr. James Bernard Hanley
Dr. Roland Forward	Dr. Abdalla Moawed Hanna
Dr. Geoffrey Neil Fowlow	Dr. Maureen Catherine Hannaford
Dr. George A. Fox	Dr. John James Hardy
Dr. Sara-Lynn Francis	Dr. Brian J. S. Harley
Dr. J. Barrington G. Fraser	Dr. Richard John Harley
Dr. Geoffrey French	Dr. John David Harnett
Dr. Michael Urban Gerard Furey	Dr. Russell Oliver Harpur
Dr. Michael Brosnan Furlong	Dr. Jennifer Harris
Dr. Stephen Furlong	Dr. David Grenfell Hart
Dr. Susan Marie Furlong	Dr. Randy Hart
Dr. Anthony Gabriel	Dr. Neil Gerard Harvey
Dr. Lorri Jane Galbraith	Dr. Lydia Bhattacharya Hatcher
Dr. Finbar Patrick Gallagher	Dr. Michael Cecil Edward Hatcher
Dr. Anne Brenda Galway	Dr. Christopher John Healey
Dr. Gayle Dianne Garber	Dr. Paul David Heneghan
Dr. Paul James Gardiner	Dr. Daniel Craig Hewitt
Dr. Mathew Henry Gault	Dr. Richard John Hewitt
Dr. Shahid Javid Ghani	Dr. Denise Marie Hickey

Dr. James Paul Hickey
Dr. John Patrick Hickey
Dr. Frank Stanley Hicks
Dr. Kelley Renee Hicks
Dr. Geoffrey Christopher Higgins
Dr. Gordon Andrew Higgins
Dr. Alison Jane Hillman
Dr. Jeremy William Hillyard
Dr. Jeffrey George Hiscock
Dr. Cosmas Vai-Jan Ho
Dr. Chaker Aziz Hobeika
Dr. Donald Gordon Hodder
Dr. Darryl Raymond Hogan
Dr. Kevin Paul Hogan
Dr. Martin W. Hogan
Dr. Thomas Guy Hogan
Dr. Bruce Harold John Hollett
Dr. Peter Darroch Hollett
Dr. Brendan Thomas Hollohan
Dr. Kim Edward Hong
Dr. Barbara Jolanta Hoppe
Dr. Asadul Hoque
Dr. Karen Horwood
Dr. Paula Louise Horwood
Dr. Arthur Maxwell House
Dr. Oscar James Howell
Dr. Steven Richard Howells
Dr. Brian John Hughes
Dr. Robert Earl Humber
Dr. Trevor Robert Humes
Dr. Edgar Wilson Hunt
Dr. Wissam Hussein
Dr. James Murray Hutchinson
Dr. Andrew Stuart Hutton
Dr. Charles Joseph Hutton
Dr. Robert Harrington Huxter
Dr. Geraldine Mary Denise Hyland
Dr. Tharwat Ramzy Saleh Ibrahim
Dr. Wilson Ozoya Idami
Dr. David Wallace Ingram
Dr. Linda Louella Inkpen
Dr. Andrew Ip
Dr. Mohamed Hussain Irfan
Dr. Nadia Dawod Ismiil
Dr. Koma Isrieel Israel
Dr. Linda Eileen Ivany
Dr. Elizabeth Juliet Ives
Dr. Abuelgasim Izzeldin
Dr. Paul D. Jackman
Dr. Jacob Chandy Jacob
Dr. John William Jamieson
Dr. John Charles Janes
Dr. Frederick Jardine
Dr. Tanya Joy Jarvis
Dr. John Bertram Jenkins

Dr. Kenneth Guy Jenkins
Dr. Paul Mark Jeon
Dr. Yong K. Jeon
Dr. David Douglas Jewer
Dr. Kanapathipillai Jeyalingam
Dr. King Thomas Jim
Dr. Phyllis Julia Johnson
Dr. Sunny Vadakkanezhith Johnson
Dr. Emmanuel E. Jones
Dr. Heather D.E. Jones
Dr. Khi Khong Michael Jong
Dr. Pradip Jethalal Joshi
Dr. Carol Jean Joyce
Dr. Chander Parkash Kamra
Dr. Palinder Kamra
Dr. James Leslie Karagianis
Dr. Yordan Stefanov Karaivanov
Dr. Eric Brent Karn
Dr. Mylvaganam Kathirgamanathan
Dr. Sarathadevi Kathirgamanathan
Dr. David Anthony Keegan
Dr. Virginia Ann Keeping
Dr. Lionel David Kelland
Dr. C. Maeve Kelly
Dr. Ronald Patrick Kelly
Dr. Ilse Kemp
Dr. Michael J. Kennedy
Dr. Norman Richard Kennedy
Dr. Richard F. Kennedy
Dr. Aleta Keong
Dr. Majed Khraishi
Dr. Lisa Ann Kieley
Dr. John Francis Kieley
Dr. Francis Gladstone King
Dr. James Frazer King
Dr. Susan Matilda King
Dr. Yvonne Marie King
Dr. Simon David Kirby
Dr. Kalyanapuram R. Kothandaraman
Dr. Christopher Simon Kovacs
Dr. Joan Kranenka
Dr. Heidi Kravitz
Dr. Michoke Krisdaphongs
Dr. Igor Krizan
Dr. Franklin Nicholas Kum
Dr. Poh Gin Kwa
Dr. Alan Hoi-Lun Kwan
Dr. Johanne Lacelle
Dr. Nizarali Bhimji Ladha
Dr. Harry Russell Lake
Dr. Foster Scott Lamswood
Dr. David Gordon Landells
Dr. Ian David Rex Landells
Dr. David P.F. Larsen
Dr. Alexa Muriel Mitchell Laurie

Dr. Norman Adrian Lear	Dr. Thomas George McGarry
Dr. Kenneth M. Ledez	Dr. Sarah Jane McGillivray
Dr. Kellie Ledrew	Dr. Sheilagh Mary McGrath
Dr. Ruth Louise Jewer Ledrew	Dr. William George Mark McKenzie
Dr. Teng-Tak John Lee	Dr. Aaron Leslie McKim
Dr. Francine Lise Lemire	Dr. Michael Vincent McMahon
Dr. Fung Leung	Dr. Cliona McManamon
Dr. Brendan Denis Lewis	Dr. Margaret Mary McManamon
Dr. A. Roy Lilly	Dr. Patrick John McNicholas
Dr. Geoffrey John Lloyd	Dr. Charles McVicker
Dr. Peter Lockwood	Dr. Tina Marie McWilliam-Burton
Dr. Norman John Lush	Dr. Kevin Noel Melvin
Dr. Shelley Elizabeth Lush	Dr. Clifford Wade Mercer
Dr. George Calvin MacCallum	Dr. Edwin Mercer
Dr. Johnstone Scott MacCallum	Dr. Gregory Peter Mercer
Dr. Duncan Donald MacDonald	Dr. Isaac David Mercer
Dr. Robert Macdonald	Dr. Christian Mercier
Dr. Susan Marie MacDonald	Dr. Robert Taylor Miller
Dr. D. Joanne MacIntyre	Dr. Catherine Michelle Milne
Dr. Martin Derek Mack	Dr. Gurmit Singh Minhas
Dr. Douglas Scott MacKenzie	Dr. Karl Kurt Anton Misik
Dr. Deirdre Anne MacLaughlin	Dr. Sarbjit Singh Missan
Dr. Edward Aiden MacLaughlin	Dr. Scott Macleod Moffatt
Dr. Susan Elizabeth MacLeod	Dr. Kam Wah Mong
Dr. Barbara Ann Maddigan	Dr. Peter Moosbrugger
Dr. Paul Venard Maher	Dr. David Walter Morgan
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Dr. Barbara Ann Maddigan	Dr. William David Parsons
Dr. Adrian C. Major	Dr. Michael David Paul
Dr. Andrew E. Major	Dr. David Boyd Peddle
Dr. Surender Singh Manhas	Dr. Angela M. Penney
Dr. Catherine Mann	Dr. Sharon Douglas Peters
Dr. Nico Francois Marais	Dr. Angela Pickles
Dr. Falah Bechara Maroun	Dr. Cherry Jacqueline Pike
Dr. Peter M.F. (Barry) Martin	Dr. Eric James Pike
Dr. Roderick Donald Martin	Dr. Carla Elizabeth Pittman
Dr. Isabel Maria Martins	Dr. William Gordon Pollett
Dr. Baboo Mathew	Dr. Catherine Popadiuk
Dr. Gordon Mathieson	Dr. Margaret Anne Porter
Dr. Douglas Barry May	Dr. Gautam N. Pradhan
Dr. Edward Scott McClellan	Dr. Douglas Rorke Pratt
Dr. Patrick John McNicholas	Dr. David Ifan Price
Dr. Tina Marie McWilliam-Burton	Dr. Jeremy Norman Pridham
Dr. Kevin Noel Melvin	Dr. William E.M. Pryse-Phillips
Dr. Edwin Mercer	Dr. Cheryl Paulette Pugh
Dr. Sarbjit Singh Missan	Dr. Chitra Pushpanathan
Dr. Kam Wah Mong	Dr. Al-Amin P. Rahman
Dr. Robert Francis Morris	Dr. S. Bharati Reddy
Dr. Carolyn Marie Morris-Larkin	Dr. Edwin Basil Redmond
Dr. Bhanu Prasad Muram	Dr. Wayne Michael Redmond

Dr. Debbie H. Reid
 Dr. Ruth E. Reid
 Dr. Marion Jane Rendell
 Dr. Arthur A. Rideout
 Dr. John Desmond Robb
 Dr. W. James Roberts
 Dr. Mary Patricia Roche
 Dr. Peter Roy Rockwood
 Dr. Judith Aloisia Roger
 Dr. Teodoro Otayza Rosales
 Dr. Barry Francis Rose
 Dr. Edwin Michael Rosenberg
 Dr. Sujit Kumar Roy
 Dr. Mark Julian Rubens
 Dr. David James M. Ruggles
 Dr. Robert Stephen Russell
 Dr. Anne Ryan-Drover
 Dr. Eric Joseph Sala
 Dr. L.D. Asoka Samarasena
 Dr. Mary Frances Scully
 Dr. John Michael Seary
 Dr. James F. Seviour
 Dr. Suryakant Karamshi Shah
 Dr. Edward Leo Sharpe
 Dr. Duane Gerard Sheppard
 Dr. James Sheridan
 Dr. Robert J.F. Simms
 Dr. Douglas Charles Simms (Sr.)
 Dr. Thomas James Smith
 Dr. Christine Snelgrove
 Dr. Sangeeta Somers
 Dr. Pierce Augustus Spurrell
 Dr. Daniel Stephen Squire
 Dr. Kimberly Anne St. John
 Dr. Mark G. Stefanelli
 Dr. Eric Wayne Stone
 Dr. Norman Craig Stone
 Dr. Timothy Carl Oscar Strand
 Dr. Howard Roy Strong
 Dr. Nagappan Suppiah
 Dr. Bruce Alexander Sussex
 Dr. David John Sutherland
 Dr. Kara Elizabeth Taggart Laing
 Dr. Anthony Tavenor
 Dr. Douglas Stewart Taylor
 Dr. Regina Maxine Taylor Gjevre
 Dr. Christina Gordon Templeton
 Dr. Donald Andrew Tennent
 Dr. Mylvaganam Joseph Thavanathan
 Dr. William Douglas Tiller
 Dr. Eng-Tjie Tjan
 Dr. Zohair Sulaiman Tomi
 Dr. Brent Warren Tompkins
 Dr. Kirsty Ann Tompkins
 Dr. Amy Yee Mei Tong

Dr. Douglas Alfred Torraville
 Dr. Kevin Pius Tracey
 Dr. Julia Trahey
 Dr. Randolph Chiu-Lun Tsang
 Dr. John Henry Tucker
 Dr. Joseph A. Tumilty
 Dr. Neil Stuart Turner
 Dr. Cathy L. Vardy
 Dr. Damodar Vinayak Vaze
 Dr. Mukesh Verma
 Dr. Andrew Verniquet
 Dr. Nancy Annie Wadden
 Dr. Patricia Mary Wadden
 Dr. Jasbir Kaur Wadhwa
 Dr. Robert Lester Walley
 Dr. Anthony D. Walsh
 Dr. Eilish Anne Walsh
 Dr. Mary Katherine Wells
 Dr. Carl Adam Wesolowski
 Dr. James Hayes Andrew Whelan
 Dr. Ronald F. Whelan
 Dr. Hubert Patrick White
 Dr. Kimberley Dawn White
 Dr. Lucinda Anne Whitman
 Dr. Yogananthan Wijayanayagam
 Dr. Singharetnam Wijeyasekaran
 Dr. Anne Elizabeth Williams
 Dr. John Tudor Leonard Williams
 Dr. Deborah Ann Wirtzfeld
 Dr. Paul G.W. Woolfrey
 Dr. Reginald Yabsley
 Dr. John Graham Young
 Dr. Robert Wells Young

**Specialists with Other Qualifications
(Section 16 - Medical Act)**

Dr. Mushin Abdul Abutrab
 Dr. Chaudhary E. Ahmad
 Dr. Shakeela Ahmed
 Dr. Prince Ayodele Ajiboye
 Dr. Javed Akhtar
 Dr. Muhammad Farooq Alam
 Dr. Justice Brookman Amissah-Arthur
 Dr. Iram Anees
 Dr. Syed Shoa Anwar
 Dr. Nader Gergis Atalla
 Dr. Stephen John Austin
 Dr. Alaa ABD El-Sayed Awadalla
 Dr. Nassir Badrudin
 Dr. Gary Thomas Baker
 Dr. Maged Mosad Sokar Bakhet
 Dr. Fayez Ballouk
 Dr. John Alexander Barnhill
 Dr. Josue Fernando Becerra

Dr. Michael Ivan Berman	Dr. Moheb Milad Agaibi Mohareb
Dr. Peter Jerrett Blackwood	Dr. Mona Milad Mohareb
Dr. Mohamed Sadiq Boodhun	Dr. Amtul Musawir
Dr. Johan Tertius Booyesen	Dr. Paul Reginald Neil
Dr. Enrique Berdin Borja	Dr. Ronan Patrick O'Shea
Dr. Mark Arthur Brannan	Dr. Godwin Ebere Obioha
Dr. Thomas Cantwell	Dr. Akinlolu Bayode Ojuawo
Dr. Dorothea Wilhelmina Coetzee	Dr. Moses Aniedi-Abasi Okon
Dr. Maurice T. Dalton	Dr. Dave Annand Omah-Maharajh
Dr. Jose Antonio De Andres Oterino	Dr. Edwin Iyere Ozua
Dr. Johannes Dirkschen Van Schalkwyk	Dr. Gourdas Pal
Dr. Victoria Evgenievna Dmitrieva	Dr. Sarada Sri Paladugu
Dr. Ghulam Farooq Dogar	Dr. Deborah Christine Peckham
Dr. Pierre Du Plessis	Dr. Amrah Pirzada
Dr. M. Ayman El-Gammal	Dr. Thomas Edmond Poole
Dr. Hendrik Andries Engelbrecht	Dr. Visweswara Rao Pullela
Dr. Khalid Enver	Dr. Palanisamy Rajasekaran
Dr. Samuel Tewfik Fam	Dr. Robert Charles Randell
Dr. Abdul Zahir Sayeed Farooqi	Dr. Sreenivasarao Ravinuthala
Dr. Gerard Joseph Farrell	Dr. Michael Gregorio Rayel
Dr. Jacques-Pierre Fontaine	Dr. Ramon Ray Rayel
Dr. Pradip Kumar Ganguly	Dr. Shambel H. Rizvi
Dr. Ejaz Ahmed Ghumman	Dr. Stewart Calvert Rorke
Dr. Josias Michael Grobler	Dr. Muhammad Aslam Saeed
Dr. Deepak Grover	Dr. Aamir Safdar
Dr. Mahesh Guntamukkala	Dr. Asim Salim
Dr. Mohammed Nassoh Hafez	Dr. Mallika Samarasena
Dr. John Alastair Haggie	Dr. Muhammad Razi Uddin Sayeed
Dr. Adolf Christian Hamann	Dr. Marthinus Wessel Scheepers
Dr. Pieter Daniel Hamilton	Dr. Esmael Mohamed Harron Sebbi
Dr. Shayibu Harruna	Dr. Muhammad Shafiq
Dr. Karumpuzha Ramakrishnan Hema	Dr. Abdul Rauf Shaikh
Dr. Jeremy William Hillyard	Dr. Qamar Ul-Islam Shaikh
Dr. Barbara Jolanta Hoppe	Dr. Andrei Sharapov
Dr. Brian John Hughes	Dr. Aamir Shehzad Sherwani
Dr. Atul Joshi	Dr. Charudutt Dattatraya Shete
Dr. Changulanda Medappa Joshi	Dr. Jehan Zaib Siddiqui
Dr. Mylvaganam Kathirgamanathan	Dr. Talha Siddiqui
Dr. Haroon Khan	Dr. Mila Smrz
Dr. Razaullah Khan	Dr. Nirmala Naidu Sugnanam
Dr. Sergei Kolesnikov	Dr. Edward Marcus Swannie
Dr. Joan Kranenka	Dr. Amer Joseph Taj
Dr. Venkataraman S.G. Krishnan	Dr. Jehanara Talpur
Dr. Glenn Gordon Loy Son	Dr. Kenneth Tang
Dr. Andrew Zbigniew Luer	Dr. Marc Alexander Thorp
Dr. Jacobus Cornelis Maritz	Dr. Peter Thorpe
Dr. Anurag Markanday	Dr. Irving Tiong
Dr. William H. Marshall	Dr. Jude Ifeanyi Umeh
Dr. Mujaddid Masood	Dr. Jan Van Der Berg
Dr. Jeremiah McCarthy	Dr. Renee Elsa Van Der Lingen
Dr. Margaret Mary McManamon	Dr. Jacob Van Gelder
Dr. Gayzelle Meneses	Dr. Pieter W. Van Heerden
Dr. Bibi Alieh Miraliakbari	Dr. Christopher Van Niekerk
Dr. Bashar Hashem Moghrabi	Dr. Jan Erns Van Wijk
Dr. Ahmed Abdel-Razik Mohamed	Dr. Stephanie Van Wyk

Dr. Veeragathy Vasanthan
Dr. Ravi Subrahmanyam Vatturi
Dr. Pratibha Vaze
Dr. Torsten Einer Wasmeier
Dr. Marta Weiner
Dr. Adnan Ali Zaidi
Dr. Shahzad Zia

Retired (Associate Status)

Dr. Juanito Bautista
Dr. Raymond Anthony Duffy
Dr. Thomas C. Farrell
Dr. Charles U. Henderson
Dr. George Scott Hamilton Horner
Dr. Eithne Knowling
Dr. Louis E. Lawton
Dr. Sharad Gokuldas Mandavia
Dr. Noel Francis Murphy
Dr. Kennedy J. O'Brien (Sr)
Dr. John Joseph O'Dea
Dr. Robert F. O'Driscoll
Dr. Daphne Winifred Parsons
Dr. Melvin Leon Webster Parsons
Dr. Gerald Baxter Peckham
Dr. Harry D. Roberts
Dr. Peter Job Roberts
Dr. Gregory Francis Russell
Dr. John Beverly Sutherland
Dr. Hubert J. Warrick
Dr. John Patrick Williams
Dr. Frederick William Woodruff

Educational Register (Section 17 - Medical Act)

Anaesthesia

Dr. Colin Vincent Audain
Dr. Arash Azmayesh-Fard
Dr. Rafik Sobhy Bolis
Dr. Robert Andrew Calvert
Dr. Geethan J. Chandran
Dr. Olivera Ciganovic
Dr. Christian Farah
Dr. Terence Robert Fogwill
Dr. Amir Gammal
Dr. Darryl Guglielmin
Dr. Alexander Klimek
Dr. J. Alison MacCallum
Dr. James Norris
Dr. Serguei Peregoudov
Dr. Trevor Alexander Sweeney
Dr. Geoff Laurence Zbitnew

Diagnostic Radiology

Dr. Robinette Darlene Butt
Dr. Gillian Louise Clarke
Dr. Robert Douglas Cook
Dr. Scott Harris
Dr. Craig MacDonald Jewer
Dr. Paula Kennedy
Dr. Heidi Lynne King
Dr. Jennifer Joan Lombard
Dr. Stephen A. Lucas
Dr. David Blair Macdonald
Dr. Blair Alexander MacDuff
Dr. Colin Randall Mar
Dr. Lori Judith McDonald
Dr. Andrea Susan Reid
Dr. Kenneth George Ringer
Dr. Daniele Wiseman

Family Practice

Dr. Carolyn Bradbury
Dr. John Andrew Campbell
Dr. Susan Mary Campbell
Dr. Cory James Carroll
Dr. Steven Combden
Dr. Enass Faheim
Dr. Jay Randall Faris
Dr. Michael John Douglas Francis
Dr. Eric Matthew Haapala
Dr. Lori Ann Hayward
Dr. Megan Gaye Cynthia Jones
Dr. Colleen Valerie Kirby
Dr. Karen Frances Lake
Dr. Joanne Lane
Dr. Katherine Yvonne MacDonald
Dr. Sheau Chian Ng
Dr. Jillian Nancy Parsons
Dr. Robert Walter John Parsons
Dr. Trent Edward Parsons
Dr. Krysta Lee Pike
Dr. Cheryl Lynn Pollock
Dr. Tammy Lynette Powell
Dr. Lori Anne Rogers
Dr. Peter John Rogers
Dr. Andrew MacKenzie Rossiter
Dr. Kathleen B. Saunders
Dr. Brett Stacey
Dr. Allison Nichole Taylor
Dr. Charlene Holly Thomas
Dr. Gene Francis Thomas
Dr. Jeremy Wendell
Dr. Lisa Anne Wilson
Dr. Charles Zhao
Dr. Jyotsna S. Ziradkar

General Surgery

Dr. Leigh Ray Bishop
Dr. Jeffrey Dawson Craswell
Dr. Gavin David French
Dr. Ghassan M. Hadi
Dr. Andre Sheldon Hodder
Dr. Michael P. Hogan
Dr. Valerie Jane Jefford
Dr. David Stewart MacLean
Dr. Alexander Mathieson
Dr. Sandrasekaram Parameswaran
Dr. Antonio Paul Pepe
Dr. Linda May Rodger
Dr. Marc Savoie
Dr. Anton Sharapov
Dr. Kadre Sneddon
Dr. Wendy Wan Tai Tin
Dr. Wendy Sue Willmore
Dr. Shailendra Y. Ziradkar

Internal Medicine

Dr. Karima Addetia
Dr. Ali Zedan Degan Al-Hellawi
Dr. Sharn Bhandhal
Dr. Tracey Doreen Brown-Maher
Dr. Joseph Frederick Coffey
Dr. Angelica Marioara Cornila
Dr. Fareen Din
Dr. Chukwuemeka Ugochukwu Ejeckam
Dr. Steven Gruchy
Dr. Lisa P. Kenny
Dr. Jennifer R. Leonard
Dr. Richard Boyd Lush
Dr. Janis Lorraine Nicholson
Dr. Pamela Anne Pike
Dr. John Shik
Dr. Rajinder Singh Syan
Dr. Manoj Tahiliani
Dr. Jason Tay
Dr. Trudy Ann Taylor
Dr. Jasmine K. Wadhwa
Dr. Ramandeep Kaur Wadhwa
Dr. W. Shane Williams
Dr. Wendy Ann Winsor

Nephrology

Dr. Jasmeet Chawla

Neurology

Dr. Marsha Eustace
Dr. Paul Jensen
Dr. Danielle Maria Woolridge

Obstetrics/Gynaecology

Dr. Blair William Edward Butler
Dr. Hani Farag
Dr. Ahmed Geumei
Dr. Erica Marie Howse
Dr. Theodoros Kabisios
Dr. Sharon Michelle Laval
Dr. Britt Moore
Dr. Christa Lee Mossman
Dr. Steven M. Parsons
Dr. Michelle Susanne Suga Rak
Dr. Faiz L. Tuma

Orthopaedic Surgery

Dr. Malcolm Elliott Chang
Dr. Andrew Crosby
Dr. Faith Dodd
Dr. Andrew John Furey
Dr. Carl John Kennedy
Dr. Paul Mathew
Dr. Michael Cameron McCaffrey
Dr. John James O'Sullivan
Dr. Heather Renee Roche
Dr. Stanislaus Prem Sequeira
Dr. Trevor Brent Stone

Paediatrics

Dr. Yasmeen Javed Akhtar
Dr. Muroog M. Neki Al-Dabbagh
Dr. Jason Clarence Brophy
Dr. Sarah Curtis
Dr. Gabby Tyna Doyle
Dr. Lisa Anne Goodyear
Dr. Gregory Michael Taylor Guilcher
Dr. Ara Alice Healey
Dr. Louisa Katherine MacKenzie
Dr. Janice Lynn Anne Manthorne
Dr. Kimberley Ann Myers
Dr. Michael Bertram Nash
Dr. Marc David Nicholson
Dr. Stephen Perry Noseworthy
Dr. Natalie Jane Shiff
Dr. Smeeksha S. Sur

Pathology - Anatomical

Dr. Chhaya Vipul Acharya
Dr. Snezana Vukmirovic-Popovic

Pathology - General

Dr. George Makram Yousef

Psychiatry

Dr. Weldon Bonnell
Dr. Marguerite Anne Broaders
Dr. Anjana Chawla
Dr. Jan Adolf Dolezalek

Dr. Prasannajit Dutta
Dr. Elizabeth Jolene Hancock
Dr. Taryn Lee Hearn
Dr. Magdalena Ilcewicz-Klimek
Dr. Asifjehan Khan
Dr. Kristopher Dale Luscombe
Dr. Syed Mansoor-Ul-Hassan Pirzada
Dr. Laurie Potter
Dr. Chantelle Amelia Reid
Dr. Shilpa Charudutt Shete
Dr. Cynthia Suzette Slade
Dr. Ihab Zaki Sorial
Dr. Keith Anthony Vokey
Dr. Coleen Patricia Walsh
Dr. Jeffrey Neil Young

**FACULTY OF MEDICINE
MEMORIAL UNIVERSITY OF NEWFOUNDLAND
Fourth Year Medical Students
CLASS OF 2003**

ALDRIDGE, Lisa
AU, Keegan
BISHOP, Tracy
CHAN, Grace
CHOW, Edwin
COFFEY, James
CROCKER, Kenneth
DAWE, Shawna
DOWER, Andrea
ELLIOTT, Jacqueline
FAGAN, Christa
FARRELL, Brian
FARRELL-COOK, Colleen
FELTHAM, Matthew
GILLIS, Cory
HAENSEL, Heidi
HAPGOOD, Connie
HICKEY, Joanne
ROYLE, Mary-Clare
KALEKA, Gurjeet
KENNEDY, Andrea
KENNEDY, Robert
KHOUBIAN, Farzad
LILES, Elizabeth
LINTHORNE, Krista
MACDERMID, Melanie
MAMMEN, Cherry
MATTHEW, James
McPHERSON, Terrence
MEHTA, Bijal
MONTESANO, Peter

MOOSEBRUGGER, Karen
NG, Richard
NORMAN, Brian
O'BARA, Jacek
O'BRIEN, Colleen
PAYNE, Arthur
PEDDLE, Michael
PIKE, Melanie
RIDEOUT, Gregory
ROBBINS, Megan
RUSSELL, Susan
SHAMSUL-KAMAL, Shamina
SHEPPARD, James
SHETTY, Karan
SLANEY, Darlene
SLOKA, Jeffrey Scott
SMALLWOOD, Mark
STUCKLESS, Teri
TABRIZI, Mina
TEMPLE, Michelle
TULK, Carla
TURNER, Dawn
TURNER, Jeffrey
WHEELER, Leslie
WHITE, Joanne
WILLIAMS, Albert
WILLIAMS, Jennifer
WONG, Xing
YOUNG, Darryl
YOUNG, Ian

**FACULTY OF MEDICINE
MEMORIAL UNIVERSITY OF NEWFOUNDLAND
Third Year Medical Students
Class of 2004**

ARNOLD, Heather
BASHA, Jacqueline
BOONE, Andrea
BREMNER, Heather
BRIDGER, Natalie
BRYNIAK, Christopher
CARPENTER, Jillian
CASHIN, Megan
DICKESON, Mark
DOOLING, Kathleen
EFFORD, Erin
EFFORD, Jason
FARRELL, Jamie
FELTHAM, Bethany
FLOOD, Justin
FOX, Rachel
FRENCH, Justin
GANDER, Sarah
GRABOVE, Matthew
HAGENBUCH, Sean
HEALEY, Andrew
HEBBARD, Pamela
HEFFERNAN, Paul
INTZES, Stefanos
JAYARAM, Srinidhi
JENKINS, Sarah
JONES, David
KHAN, Amer
LILLY, Matthew

LOCKYER, Joseph
MARTIN, John
MENSINKAI, Arun
MURPHY, Melanie
NOSEWORTHY, Melanie
OLSEN, Kathryn
PARAI, Milton
PARFREY, Brendan
PARSONS, Michael
PATERSON, Craig
PELKEY, Michael
PIERCEY, Karen-Lynne
POCHINI, Craig
POWELL, Erin
POWELL, Mark
RAHMAN, Adam
RIELEY, Margaret
SHARAPOVA, Darcie
SHEAHAN, Deirdre
SINGLETON, Andrea
THOMPSON, Karen
THOMS, John
TIBBO, Jamie
VICKERS, Michael
VIVIAN, Laura
WALSH, Gilbert
WALSH, Paula
WAY, Todd

**FACULTY OF MEDICINE
MEMORIAL UNIVERSITY OF NEWFOUNDLAND
Second Year Medical Students
Class of 2005**

BARNES, Adam
BARRETT, Lori
BARRINGTON, Michelle
BAUER, Josef
BEDI, Sonia
BISHOP, Robert
BRAKE, Sonya
BUGDEN, Gena
CLARKE, Erin
COOPER, Jim
CULL, Sonya
DALTON, Susan
DROVER, Shauna
EL-TAHAN, Tim

FOSTER-BRADBURY, Lynette
FUNG, Siu-Yue
GOODYEAR, Dawn
GOULART, Jennifer
GUIMOND, Jessica
HALSE, Marika
HARTERY, Angus
KAVATHEKAR, Rahul
KELLY, Linda
KIRK, Jessica
KLEBANOVA, Yana
LAHRS, Svenja
LENIHAN, Sarah
LEWIS, Jennifer

LEYENAAR, Laurina
MCCARTHY, J.P.
MCCARTHY, Leanne
McCann, Jennifer
MCKENNA, Marianne
MOHINDRA, Ruchi
MURPHY, Deanna
MURRAY, Cathy
O'KEEFE, Danielle
POWER, Lorena
PATEL, Serina
RECTOR, Tara
ROBERTS, Jason
ROGERSON, Jan
ROXIN, Gyorgy
SAMARASENA, Jason
SHARPE, Christopher

SHEIKH, Amber
SHEPPARD, Dawn
SMITH, Andrew
SMITH, Christopher
STEAD, Lori
STEEVES, Mark
STYLES, Kimberly
SUTTON, Greg
SWAN, Jake
THIBODEAU, Mr. James
TILLEY, Ms. Joy
TSAI, Dr. Eric
VOJDANI, Mr. Kyle
WARREN, Ms. Heather
WENG, Lim Chern
WHITE, Robyn
YEGAPPAN, Chuck

FACULTY OF MEDICINE
MEMORIAL UNIVERSITY OF NEWFOUNDLAND
First Year Medical Students
Class of 2006

ABEDI, Masomeh
AU, Jana
AVERY, Karen
AYLWARD, Leslie
BAIKIE, Hilary
BELLAMY, Deanna
BENNETT, Erin
BLACKMAN, Caroline
CAINES, Nadean
CAINES, Sarah
CARROLL, Allison
CHADWICK, Mairi
CHURCH, Peter
COLEMAN, Anna-Claire
CRANFORD, Vanessa
DAWE, Christiane
DOWNING, Jan
EMBERLEY, Julie
ESPIRITU, Cesar
FINCH, Terence
FOWLER, Erika
GALGAY, Susan
HALL, Thomas
HAMLYN, Margaret
HANN, Crystal
HAYLEY, Bradley
HIGHMORE, Kerri
HURLEY, Cheryl
HUTCHINGS, Robyn

HYDE, Angela
INKPEN, Peter
LEONARD, Heather
JOHNSON, Lesley
KING, Rebecca
LODGE, Daniel
MAGUIRE, Colleen
MATTHEWS, Angela
MAZNAVI, Khalid
McDONALD, Kirsten
McMILLAN, Alexandra
McQUAID, Melissa
MOORES, Carl
MORAIS, Michelle
MURPHY, Katie
MURPHY, Leah
NICKERSON, Leigh
OSBOURNE, Perry
OTT, Monica
PHILLIPS, Danielle
PORTER, Mark
ROBBINS, George
ROSSELLI, Michael
SCHOLTEN, Vicki
SEALY, Sasha
SQUIRES, Amanda
STOKES, Erika
THOMAS, David
TURNER, Megan

**Professional Medical Corporation
(Section 23.1 – 23.9 – Medical Act)**

Corporation Name	Physician Name
Dr. P.D. Beresford Professional Medical Corporation	Dr. Philip D. Beresford
Dr. Robert F. Butler Professional Medical Corporation	Dr. Robert F. Butler
Dr. Donald Chaulk Professional Medical Corporation	Dr. Donald Chaulk
Dr. Wayne Collins Professional Medical Corporation	Dr. Wayne Collins
Dr. Jerome J. Davis Professional Medical Corporation	Dr. Jerome J. Davis
Dr. Josh Foley Professional Medical Corporation	Dr. Josh Foley
Cardiocare P.M.C. Ltd.	Dr. Jamie Graham
Dr. Paul Heneghan Professional Medical Corporation	Dr. Paul Heneghan
Dr. John F. Kielty Professional Medical Corporation	Dr. John F. Kielty
MacDonald Medical Clinic Prof. Med. Corp.	Dr. Duncan MacDonald
Dr. Stefan Mulder Professional Medical Corporation	Dr. Stefan Mulder
Drs. Blaine Pearce and Paula Pye, P.M.C. Inc.	Dr. Blaine Pearce & Dr. Paula Pye
Dr. Thomas E. Poole Professional Medical Corporation	Dr. Thomas Poole
Dr. Robert N. Porter, P.M.C. Inc.	Dr. Robert N. Porter
Dr. Raymond Shandera Professional Medical Corporation	Dr. Raymond Shandera
Dr. David Sutherland Professional Medical Corporation	Dr. David Sutherland
Dr. Margo Walker Professional Medical Corporation	Dr. Margo Walker
Dr. Joe Wijay Ophthalmology Professional Medical Corporation	Dr. Yogananthan Wijayanayagam

NEWFOUNDLAND MEDICAL BOARD
Robert W. Young, MD. FRCPC
Registrar

Jan 31



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

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

Vol. 78

ST. JOHN'S, FRIDAY, JANUARY 31, 2003

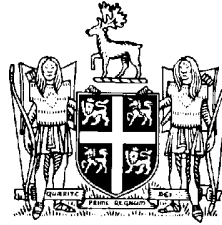
No. 5

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 10/03

NLR 11/03

NLR 12/03



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".

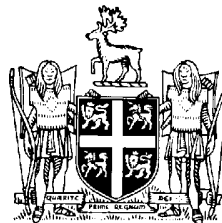
2. Rule 57.04 of the rules is amended by deleting the reference to "rule 6.12" and substituting "rule 6.11".

Commencement

3. These Rules shall come into force on February 1, 2003.

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(Includes correction of January 31, 2003)



NEWFOUNDLAND AND LABRADOR REGULATION 11/03

*Open Season Big Game Polar Bear Hunting Order,
Labrador, 2003*
under the
Wild Life Regulations
and the
Wild Life Act

(Filed January 28, 2003)

Under the authority of sections 39 and 114 of the *Wild Life Regulations* and the *Wild Life Act*, I make the following Order.

Dated at St. John's, January 22, 2003.

Julie Bettney
Minister of Tourism, Culture and Recreation

ORDER

Analysis

- | | |
|----------------|----------------------------------|
| 1. Short title | 5. Shooting only |
| 2. Prohibition | 6. Bears in den |
| 3. Open season | 7. Bears with transmitters, etc. |
| 4. Bag limit | 8. Repeal |

Short title

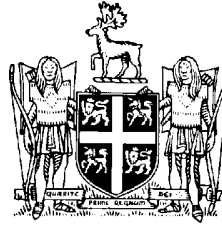
1. This Order may be cited as the *Open Season Big Game Polar Bear Hunting Order, Labrador, 2003*.

*Open Season Big Game Polar Bear Hunting Order,
Labrador, 2003*

11/03

Prohibition Open season	<p>2. The taking of polar bears is prohibited throughout Labrador except as provided for in this Order.</p> <p>3. The open season for hunting polar bear in that portion of Labrador from Fish Cove Point in Groswater Bay to Cape Chidley shall be February 3, 2003 to June 30, 2003.</p>
Bag limit	<p>4. The bag limit is one polar bear of either sex except that female polar bears accompanied by cubs, young of the year, may not be taken.</p>
Shooting only	<p>5. Polar bears shall only be taken by shooting.</p>
Bears in den	<p>6. Polar bears shall not be taken in a den and active dens shall not be disturbed in any way.</p>
Bears with transmitters, etc.	<p>7. Polar bears equipped with radio transmitters or collars shall not be taken.</p>
Repeal	<p>8. The <i>Open Season Big Game Polar Bear Hunting Order, Labrador Portion, 2002</i>, Newfoundland and Labrador Regulation 11/02, is repealed.</p>

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NEWFOUNDLAND AND LABRADOR REGULATION 12/03

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

(Filed January 28, 2003)

Under the authority of section 55 of the *Judicature Act*, section 9 of the *Unified Family Court Act* and section 25 of the *Divorce Act* (Canada), the Rules Committee of the Trial Division makes the following rules.

Dated at St. John's, January 28, 2003.

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

RULES

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1. The Rules of the Supreme Court, 1986 are amended by inserting immediately after Rule 56 the following:

**PART II.1
FAMILY LAW PROCEEDINGS**

**RULE 56A
FAMILY LAW**

**Division I
Interpretation, Application and Transitional**

Definitions of terms

56A.01. In this Part

- (a) "corollary relief proceeding" means a corollary relief proceeding as defined in the *Divorce Act* (Canada);
- (b) "court" means the Trial Division of the Supreme Court or the Unified Family Court;
- (c) "family law proceeding" means a proceeding under an Act of the province or of Canada or under the common law or in equity related to family law including:
 - (i) child protection,
 - (ii) custody and access,
 - (iii) child, parent and spousal support,
 - (iv) enforcement of support orders,

- (v) dividing the property of married persons,
 - (vi) divorce,
 - (vii) claims for property made by cohabiting persons based on the law of trusts, and
 - (viii) other matters listed in the *Unified Family Court Act*,
- but does not include adoption;

(d) "financial statement" means a financial statement in Form 56A.27A;

(e) "guidelines" means the *Federal Child Support Guidelines* established under the *Divorce Act* (Canada) and the *Child Support Guidelines Regulations* established under the *Family Law Act*;

(f) "property claim" means a claim for division of property by a spouse under the *Family Law Act* or by cohabiting persons based on the law of trusts or unjust enrichment;

(g) "property statement" means a property statement in Part 6 of Form 56A.27A;

(h) "registrar" includes the Clerk of the Unified Family Court and a Deputy Registrar or Assistant Deputy Registrar in a Judicial Centre of the Supreme Court of Newfoundland and Labrador, Trial Division;

(i) "trial" includes a hearing;

(j) "uncontested family law proceeding" means a family law proceeding in which

(i) the respondent has failed to serve and file a response,

(ii) the response has been withdrawn or struck out, or

(iii) each party to the proceeding has indicated his or her consent on the draft judgment or order, either

- (A) personally, with an affidavit of execution, or
- (B) by his or her lawyer; and
- (k) "vary" or "variation" includes rescind and suspend, or rescission and suspension.

How this Part applies

56A.02. (1) This Part applies to family law proceedings in the Court and may be cited separately as the *Family Law Rules*.

(2) The general practice and procedure of the Court apply with the necessary modifications unless this Part provides otherwise.

(3) Where a family law proceeding involving a property claim is commenced in the geographical area covered by the Unified Family Court, that proceeding shall be taken in Unified Family Court if the parties are married and in the Trial Division if the parties are unmarried.

(4) Where the practice and procedure in a particular cause or matter cannot be determined, the Court may adopt the practice and procedure that is necessary to permit the cause or matter to proceed.

(5) Family law proceedings will be conducted as informally as the circumstances of the case permit.

(6) The forms prescribed by this Part may be changed if necessary.

(7) This Part applies to family law proceedings commenced before, on or after the day when this Part takes effect, except the Court may order that the old rules apply to an existing matter.

Division II General Matters

When hearings may be held in private

56A.03. The judge may exclude a person other than counsel and witnesses from all or part of a proceeding where the judge considers that his or her presence is unnecessary and

- (a) that evidence or information presented to the court, if made public, would seriously injure or prejudice
 - (i) the person who is being dealt with in the proceedings, or
 - (ii) a person under 16 years of age who is a witness in or is affected by the proceedings; or
- (b) that it would be in the best interest of public morals, the maintenance of order or the proper administration of justice to exclude the person from the court room.

Who may access Court records

56A.04. (1) The Court's record of a family law proceeding is confidential and only a party, a party's lawyer, an officer of the court or a judge may have access to it.

(2) The registrar may permit a person authorized by a party or by a party's lawyer to access a document in the court record and may require that person to sign an undertaking to keep the information obtained from the Court record in confidence before giving them access.

(3) The registrar may require that an application be made to the Court for access to Court records.

Requirement to keep information confidential

56A.05. (1) A person who has access to documents obtained under the financial disclosure provisions of this Part or to evidence obtained under discovery or to the Court record

- (a) shall keep the documents, evidence and any information obtained from them or from the Court record in confidence; and
- (b) may only use the documents, evidence and information for the purposes of the family law proceeding in which the document or evidence was obtained or to which the Court record relates.

(2) The rule in (1) does not apply where

- (a) the person who disclosed the document or gave the evidence consents to the information being released;
- (b) the document is referred to or the evidence is given as part of a trial and the court made no order restricting its use or access to it;
- (c) the document or evidence is used to impeach the testimony of a witness in another proceeding;
- (d) the document or evidence is used in a later proceeding between the same parties; or
- (e) the person is ordered by a court to disclose the document or evidence.

(3) The Court may, on application, give a person permission to disclose information that would normally be confidential, if the interests of justice outweigh any harm that would result

- (a) to the person who provided the documents or evidence;
 - (b) to the parties to the family law proceeding; or
 - (c) to a child affected by the family law proceeding.
- (4) A person who breaks this rule is in contempt of Court.

Starting a family law proceeding

56A.06. (1) A person may start a family law proceeding by presenting the original and one copy of an originating application with the Court that has jurisdiction to hear the matter in Form 56A.06.

(2) A person asking to change a previous order about custody, access or support may start the proceeding by presenting the original and one copy of an originating application in Form 56A.06.

(3) A person making a claim for an unequal division of matrimonial property, entitlement to a share of business assets or a claim of undue hardship in a child support proceeding shall state the material facts supporting the claim.

(4) The registrar shall issue the originating application and file the copy and if an application to change an order is made in the same court centre where the original order was made it shall be filed in the original court file.

(5) An entry of every proceeding shall be made by the proper officer in an appropriate record maintained manually or in electronic form and

(a) a file reference assigned to a proceeding shall consist of the year of issue followed by

(i) the appropriate symbols referred to in rule 5.04(3), where the proceeding is commenced in the Trial Division, or by the symbols "02U" where the proceeding is commenced in the Unified Family Court, and

(ii) the consecutive number of the proceeding in the order of issuing in that year;

(b) every document subsequently issued or filed in the same judicial centre in relation to the same parties in the proceeding shall be recorded and shall bear the same file reference; and

(c) where a document is subsequently issued or filed in relation to the same parties in the proceeding but in another judicial centre, the registrar shall make arrangements to transfer the file to that judicial centre.

(6) Where a party asks for a divorce in a proceeding, the registrar shall, on receipt of the appropriate fee,

(a) in addition to the file reference required by rule 56A.06(5), assign to that divorce proceeding a separate number, to be known as a divorce registry number, that follows in sequence the last number assigned to a divorce proceeding in that judicial centre or Unified Family Court, as the case may be; and

(b) complete Part I of the registration of divorce proceeding form referred to in the *Central Registry of Divorce Pro-*

ceedings Regulations (Canada) and send it to the central registry of divorce proceedings.

Joining 2 or more claims

56A.07. (1) An applicant may claim more than one type of relief in a family law proceeding and rule 7.01 (Joinder of causes of action) applies to family law proceedings.

(2) Subject to section 8 of the *Unified Family Court Act*, the Court, on application, may direct that a non-family law claim be continued in a family law proceeding if the claim is related to or connected with a claim in that proceeding.

(3) Unless the Court determines otherwise, the Court may deal with all issues in any way relating to the claims made in an originating application even if an issue is not specifically referred to in the application, and the Court may make any judgment or order that the justice of the case may require.

Naming the parties

56A.08. (1) The party starting the family law proceeding is called the applicant and the opposite party is called the respondent.

(2) The description of the parties in the style of cause shall remain the same in any subsequent pleadings, on an application within the family law proceeding or an application to vary an order.

(3) The Court may

- (a) order that a person who may have an interest in the matters in issue be served with notice of the family law proceeding with or without adding that person as a party; and
- (b) give directions about how to serve that person and conduct the family law proceeding.

Location, transfer of family law proceedings

56A.09. (1) A party may start a family law proceeding at any judicial centre, unless the *Unified Family Court Act* states that it must be started in the Unified Family Court.

(2) The Court may direct that a family law proceeding be transferred to any judicial centre

- (a) with the consent of the parties;
- (b) because it is more convenient for witnesses or otherwise; or
- (c) so it may be heard with another proceeding before the Court.

(3) An application to transfer a family law proceeding shall not be made before the respondent to the proceeding has filed a response, without the consent of the parties or leave of the Court.

(4) Where an order transferring a family law proceeding is consented to by the parties, the registrar may

- (a) issue the order without referring it to a judge; or
- (b) refer the matter to a judge.

How to serve documents

56A.10. (1) Service of the following documents shall be carried out only in accordance with rule 6.02 (Personal Service), unless the Court orders otherwise:

- (a) an originating application for divorce;
- (b) an originating application seeking custody or access to children;
- (c) a notice of contempt application;
- (d) a subpoena to witness;
- (e) a notice of application or notice of default hearing in which the person to be served faces a possibility of imprisonment; or
- (f) where personal service is otherwise required by law.

(2) Service of documents not listed in (1) on a person in a family law proceeding may be made

- (a) in accordance with Rules 6 and 6A;
- (b) by leaving a copy with a lawyer who accepts service for the person in writing on a copy of the document;
- (c) by mailing a copy to the person, together with an acknowledgement of service in Form 56A.10C, all in an envelope that is addressed to the person and has the sender's return address (but service under this clause is not valid unless the return postcard, signed by the person, is filed with the court);
- (d) by leaving a copy at the person's place of residence, in an envelope addressed to the person, with anyone who appears to be an adult person resident at the same address and, on the same day or on the next, mailing another copy to the person at that address; or
- (e) if the person is a "board" or "director" as defined in the *Child, Youth and Family Services Act*, by leaving a copy with the Director of Child, Youth and Family Services for that applicable Board.

(3) When a document has been served by a method not permitted by these rules or an order, the court may make an order approving the service if the document,

- (a) came to the attention of the person to be served; or
- (b) would have come to the person's attention if the person had not been evading service.

(4) Where a document has been served under paragraph (2)(c)(d) or (e) and it is later established to the satisfaction of the Court that the document was not properly served, the Court may make any order it considers necessary to correct any injustice done.

(5) Service of a document may be proved by

- (a) a written acknowledgement or admission of service in Form 56A.10D completed by the person to be served;
- (b) an affidavit of service in Form 56A.10A;

(c) the return postcard mentioned in paragraph (2)(c) in Form 56A.10C; or

(d) an affidavit of service by ordinary mail in Form 56A.10B.

(6) Under this Part, service of a document outside of the province but within Canada may be made without an order permitting that service.

Time for serving documents

56A.11. (1) An originating application shall be served within 6 months of the date it is issued by the Registrar.

(2) An application to extend the time for service may be made to the Court before or after the 6 months expires without giving notice of the application to the other parties.

How to oppose a claim and make a claim against the applicant

56A.12. (1) A respondent who wishes to oppose a claim made in an originating application shall serve and file a response in Form 56A.12A.

(a) within 30 days after service of the originating application if the respondent was served in Canada; or

(b) within 60 days after service of the originating application if the respondent was served outside Canada.

(2) Even if the time for responding expires, a response may be served and filed as long as a default order has not been made.

(3) A respondent who claims any relief against the applicant shall make that claim in the response.

(4) A respondent who claims an unequal division of matrimonial property, entitlement to a share of business assets or undue hardship in a child support proceeding, shall state the material facts supporting the claim.

How to respond without opposing

56A.13. (1) A respondent who does not oppose the claims made in the originating application may continue to be advised of the progress of the application by serving and filing a demand for notice in Form 56A.13A.

(2) The applicant may proceed against a respondent who has served and filed a demand for notice as if that respondent had failed to serve and file a response, but shall serve on that respondent notice of all subsequent pleadings and proceedings.

How to reply to a response

56A.14. Where the applicant wishes to oppose an allegation or a claim made in the response, the applicant shall serve and file a reply in Form 56A.14A within 10 days of service of the response.

Consequences of not responding

56A.15. (1) Where a respondent fails to serve and file a response within the prescribed time or serves and files a demand for notice, the applicant may, on filing proof of service of the originating application, require the registrar to issue a notice of default in Form 56A.15A in relation to that respondent.

(2) After notice of default has been issued, the respondent is not permitted to serve and file a response without

(a) the consent of the applicant; or

(b) leave of the Court,

and the court may proceed to decide the matter without hearing from the respondent.

How to claim interim relief or get the Court's direction

56A.16. (1) Either party to a family law proceeding may make an application claiming interim relief or to get the Court's direction on procedural matters by filing Form 56A.16A with an affidavit supporting the application.

(2) An applicant shall serve the application on the other parties to the family law proceeding at least 5 days before the date set for hearing the application, unless the parties consent to an earlier date.

(3) Before serving an application, the applicant may apply to the Court (without having to serve the other parties) for permission to shorten the time for service and if the Court makes the order, the applicant shall serve a copy of the order on the other parties with the application.

(4) A party who wants to oppose a claim made in an application under this rule may do so by filing one or more affidavits that set out why the applicant should not be successful. A copy of the affidavits filed shall be served on every other party to the application at least 2 days before the hearing of the application.

(5) An applicant may file and serve at least one day before the hearing one additional affidavit responding to new matters in the respondent's affidavits and no additional affidavits may be relied on without the permission of the Court.

(6) The Court may disregard an affidavit that is not filed and served in time and may award costs against the party filing it.

(7) The Court shall make a decision on an application made under this rule after reviewing the affidavits filed and hearing the arguments of the parties unless a judge before or at the hearing

- (a) gives permission to one or more parties to cross-examine the people that signed affidavits;
- (b) orders that the parties may have witnesses give oral evidence; and
- (c) gives other directions relating to pre-hearing procedure and the conduct of the application.

Making an application without notice

56A.17. (1) An application may be made without notice to a party or another person interested or affected where

- (a) a statute or rule permits the application to be made without notice or before a party is served; or
- (b) the court is satisfied that
 - (i) the delay caused by giving notice would or may impose serious harm or prejudice on the applicant or a child affected by the application;
 - (ii) there is a degree of urgency for another reason that makes it inappropriate to give notice; or
 - (iii) the circumstances of the case make notice unnecessary.

(2) A person who makes an application without giving notice shall file an affidavit stating why the applicant is entitled to proceed without notice and what steps have been or may be taken to minimize the prejudice to persons who will not be notified of the application.

- (3) When an application is made without notice the Court may
 - (a) refuse to hear the application until notice is given to a party or person affected by or interested in the application;
 - (b) shorten the normal time for the giving of notice;
 - (c) order that a hearing be held as quickly as possible;
 - (d) hear the application without notice on terms and conditions the Court considers just; and
 - (e) make another order that balances the interests of the applicant with the interests of a party or person affected by or interested in the application.

Making orders without notice

56A18. (1) The Court may grant an order on an application without notice on terms and conditions that may include the applicant giving an undertaking or providing security.

(2) Except in special circumstances, when the Court makes an order without notice the Court shall set an early return date for a hear-

ing and the applicant shall serve notice of the hearing on all parties and persons affected by or interested in the order.

Setting aside orders made without notice

56A.19. (1) A party to or person affected by or interested in an order made without notice may apply to set aside or change the order by filing an application and serving it on the other parties at least 2 days before the date set for hearing the application, or on shorter notice where the Court has given permission.

(2) The Court may on an application made under (1) or on its own motion set aside or change an order made without notice.

(3) At a hearing held under (1) or under rule 56A.18(2), the party who obtained the order without notice has the burden of satisfying the Court that that order should be continued and the Court shall consider all relevant evidence in determining whether the order should be continued.

What may go in an affidavit

56A.20. (1) A person signing an affidavit shall only set out facts of which he or she has personal knowledge, except where this rule provides otherwise.

(2) An affidavit may, in special circumstances, contain information that the person learned from someone else if

- (a) the application on which the affidavit will be used is for an interim order, or for a matter which will not determine the final outcome of the family law proceeding; and
- (b) the source of the information is identified by name, the affidavit states that the person signing it believes the information is true, and the circumstances that justify the use of information learned from someone else are stated.

(3) Where an affidavit does not comply with this rule, the Court may

- (a) disregard all or part of that affidavit; and

- (b) award costs against the party filing the affidavit or that party's lawyer.

(5) Where an affidavit contains material that is irrelevant or that may delay the trial or make it difficult to have a fair trial, or that is unnecessary or an abuse of the Court process, the Court may, on application by a party or on its own

- (a) disregard all or part of that affidavit; and

- (b) award costs against the party filing the affidavit or that party's lawyer to be paid as between lawyer and client.

(6) Where an affidavit or part of an affidavit has been disregarded under this rule, an opposing party who has filed an affidavit in response to the offending material may be awarded costs of filing that affidavit to be paid as between lawyer and client.

How case management works

56A.21. (1) After a family law proceeding is started, except a protective intervention application or an interim or interlocutory application, the registrar shall schedule a case management meeting to be heard before a judge. The party starting the family law proceeding shall ensure that the other parties are served prior to the scheduled case management meeting.

(2) At a case management meeting, the judge and the parties shall:

- (a) explore the chances of settling the case;
- (b) identify the issues that are in dispute and those that are not in dispute;
- (c) explore ways to resolve the issues that are in dispute;
- (d) ensure that relevant evidence is disclosed;
- (e) note that it may be possible to simplify the case if the parties admitted certain facts;
- (f) set the date for the next step in the case;

- (g) have the parties agree to a specific timetable for the steps to be taken in the case before it comes to trial; and
- (h) discuss whether a settlement conference is appropriate.
- (3) At a case management meeting the judge may
 - (a) make an order for document disclosure;
 - (b) make an order for an appraisal of the value of property;
 - (c) set the times for events in the case or give directions for the next step including follow-up case management meetings;
 - (d) refer any issue for alternate dispute resolution;
 - (e) direct an interview of a child;
 - (f) order psychiatric and/or psychological assessments;
 - (g) order home assessments;
 - (h) order an accounting by the registrar;
 - (i) order that the evidence of a witness at trial be given by affidavit;
 - (j) make any unopposed order or an order on consent;
 - (k) if notice has been served, make an interim order with the consent of the parties or a final order;
 - (l) make an order amending pleadings or other documents;
 - (m) make an order limiting the number of expert witnesses and determining how they may give their evidence;
 - (n) make an order requiring the parties to make arrangements for expert witnesses to meet, on a without prejudice basis, to determine those matters on which they agree and to identify those matters on which they do not agree;

- (o) make an order for directions as to the manner of conducting lengthy and complex trials;
- (p) order that a pre-trial or settlement conference be held; and
- (q) make an order that will promote a fair and expeditious resolution of the case.

(4) Where an issue in a family law proceeding has been referred by the court to a mediator or other person for alternate dispute resolution, the mediator or other person shall:

- (a) attempt to meet with the parties and, if they agree, attempt a resolution of their dispute; and
- (b) meet with other persons including lawyers that he or she thinks may be helpful in resolving the dispute.

(5) The mediator or other person shall notify the parties, or their lawyers, in writing of the terms of any settlement that has been tentatively reached and shall advise the court that the alternate dispute resolution process has concluded.

(6) Where the court orders that a home assessment be conducted, the assessor shall prepare and deliver to the court, a report which includes, unless the Court orders otherwise:

- (a) information the assessor considers relevant to the matters in dispute;
- (b) an opinion as to the suitability of each party to have custody or access;
- (c) an opinion as to what plan of custody and access would be in the best interests of the children;
- (d) the basis of the opinion; and
- (e) a report upon any other matter referred by a judge.

What evidence the Court may consider

56A.22. (1) The Court may decide an issue on oral or affidavit evidence or in a manner that the judge conducting the trial thinks appropriate.

(2) The Court may accept a document that appears to be proof of marriage in a foreign jurisdiction as proof of the marriage unless the contrary is proved.

(3) If it is relevant to a proceeding that a party has committed adultery that party shall not refuse to answer a question about whether he or she has committed adultery.

How to set a trial or hearing date

56A.23. (1) When a party wishes to set a date for a trial or hearing, the party shall contact the registrar to obtain a date for a case management meeting.

(2) At the case management meeting the judge shall determine whether the parties are ready for a trial or a hearing and the Court may make an order described in rule 56A.21(3).

Applying for judgment in an uncontested family law proceeding

56A.24. (1) Where a demand for notice has been served in an uncontested family law proceeding under rule 56A.13, the applicant shall file and serve a notice of application for judgment in Form 56A.24A before applying for judgment.

(2) In an uncontested family law proceeding, any information or evidence required to enable the Court to perform its duties, and the evidence required to prove the claim, shall be presented by affidavit, unless the Court orders that the evidence and information be presented orally at a hearing.

(3) Where the uncontested family law proceeding includes a claim for divorce, the applicant shall file the information required under rule 56A.44.

(4) If the judge does not order the presentation of oral evidence, the judge may

(a) grant a judgment without anyone appearing; or

(b) direct that a party or the lawyer for a party appear.

(5) If an applicant wishes the court to make a decision on an uncontested family law proceeding, the applicant shall file and the registrar shall place before the Court

(a) an application for judgment in Form 56A.24B requesting that the proceeding be decided on the basis of affidavit evidence;

(b) evidence to satisfy the Court that the respondent was served with the originating application in accordance with the rules for service;

(c) an affidavit signed by the applicant in Form 56A.24C

(i) stating detailed reasons on why the applicant is entitled to make the claim and evidence to support the claim,

(ii) stating that all the facts and information contained in the originating application are still true and accurate, with corrections or subsequent changes noted, and

(iii) where costs are claimed, a detailed breakdown of the amount claimed and the reason why they are claimed; and

(d) any other affidavits or supporting materials that may be required in the family law proceeding.

(5) Where a claim is made for a specific amount of support, either periodic or a lump sum, other than in a child support proceeding, and the respondent does not file a response or otherwise contest the amount claimed, the court may treat the respondent as if he or she accepts the appropriateness of the amount claimed.

(6) The Court may order a party to pay the costs of an application for judgment in an uncontested family law proceeding to another party.

(7) Where a statute requires the Court to state reasons, the judge making the decision may state the reasons of the Court by noting them on the folder containing the court record.

Judgments and orders

56A.25. (1) Subject to rule 56A.45 (Applying jointly for divorce), where an applicant claims relief under more than one statute the Court may issue one judgment with respect to all relief, naming the relevant statutes.

(2) The Court may issue a separate judgment for each claim for relief on the request of a party.

(3) An application for a judgment or order to be made by consent shall be accompanied by

- (a) the consent of the lawyer of each party who is represented by a lawyer; and
- (b) the written consent of each party who is acting in person, or of a respondent who has not appeared, with an affidavit of execution of that consent.

Whether a party is entitled to recover costs

56A.26. (1) The Court has the right to decide whether a party will have to pay the costs of another party and Rule 55 (Costs) and other rules respecting costs apply to a family law proceeding unless they are inconsistent with this rule.

(2) A successful party who has behaved unreasonably or has acted in bad faith during a family law proceeding

- (a) may be deprived of all or part of the party's own costs; or
- (b) may be ordered to pay all or part of the unsuccessful party's costs.

(3) In deciding whether a party has behaved reasonably or unreasonably or in bad faith, the Court may consider

- (a) the party's behaviour in relation to the nature, importance and urgency of the issues;
- (b) any conduct of the party which unnecessarily delayed the proceeding;

- (c) whether any step taken by the party in the proceeding was improper, vexatious or unnecessary;
 - (d) the party's denial or refusal to admit anything that should have been admitted;
 - (e) whether the party made an offer to settle;
 - (f) the reasonableness of any offer to settle the party made; and
 - (g) any offer to settle the party withdrew or failed to accept.
- (4) The Court may order costs against a party if the party
- (a) does not appear at a step in the family law proceeding;
 - (b) appears but is not properly prepared to deal with the issues at that step; or
 - (c) appears but has failed to make the disclosure required before that step.

Division III Disclosure

What forms to use

56A.27. For the purposes of this Part

- (a) a child support information sheet shall be in Form 56A.58A;
- (b) a financial statement shall be in Form 56A.27A;
- (c) a property statement shall be in Part 6 of Form 56A.27A;
and
- (d) a notice to file income information shall be in Form 56A.27B.

Child support

56A.28. (1) If a party is claiming child support or a variation of child support in the basic table amount set by the guidelines

- (a) the party claiming child support is not required to file a financial statement, but is required to file and serve a child support information sheet with the originating application; and
- (b) the party responding to the claim is not required to file and serve a financial statement, unless he or she is claiming that the basic table amount would cause undue hardship, but is required to file and serve a child support information sheet.

(2) Where the parties have agreed on an amount of child support, the parties shall set out the agreement in Form 56A.28A, and unless the court otherwise orders the parties are not required to file financial statements.

(3) If an applicant or respondent is claiming child support or a variation of child support higher than the basic table amount set by the guidelines or is claiming special expenses

- (a) that party is required to file and serve a financial statement and a child support information sheet with the originating application; and
- (b) the person responding to the claim is required to file and serve a financial statement and a child support information sheet.

(4) The person responding to the claim is required to file and serve any forms required by this rule within

- (a) 30 days after service of the application claiming support if the respondent was served in Canada; and
- (b) 60 days after service of the application claiming support if the respondent was served outside Canada.

Custody and access

56A.29. Parties to a claim for custody of or access to a child, where no claim is made for support, do not need to file and serve financial statements, unless the Court orders them to do so.

Spousal or parental support

56A.30. (1) A party to a claim for spousal or parental support shall file and serve financial statements unless

- (a) the parties have agreed on the relief to be granted; and
- (b) the parties have filed a waiver of financial and property statements in Form 56A.30A.

(2) The person making the claim shall file and serve the financial statement with the document making the claim.

(3) The person responding to the claim shall file and serve the financial statement with his or her response or reply.

Property claims

56A.31. (1) A party to a property claim shall file and serve property statements unless

- (a) the parties have agreed on the relief to be granted; and
- (b) the parties have filed a waiver of financial and property statements in Form 56A.30A.

(2) The person making the claim shall file and serve the property statement with the document making the claim.

(3) The person responding to the claim shall file and serve the property statement with his or her response or reply.

Divorce

56A.32. The parties to a divorce proceeding where there are children for whom support may be ordered but no one is claiming child support, shall produce at least 10 days before the determination of the proceeding the income information required by the guidelines.

When parties apply together under the *Divorce Act* (Canada)

56A.33. Spouses or former spouses who apply together for relief under the *Divorce Act* (Canada) shall file the following documents with the originating application or application:

- (a) a financial statement of each applicant or co-applicant, together with the income information required by the guidelines;
- (b) an agreement as to child support in Form 56A.28A, and the documents referred to in that form; or
- (c) where there are no children for whom support may be ordered, a waiver of financial and property statements in Form 56A.30A.

Rejection of application

56A.34. Unless ordered otherwise, the registrar shall not accept any originating application or application for filing without a financial statement or property statement where these rules require the document to be filed with a financial statement or property statement.

How to require the filing of forms

56A.35. (1) In a family law proceeding where financial statements or property statements are required under this Part, a party may once without leave, and at any other time with leave of the Court, file and serve a notice to disclose in Form 56A.35A.

(2) A party who is served with a notice to disclose shall serve and file the information requested within 15 days after service of that notice.

(3) Where the party served with notice objects to disclosing any of the information requested in a notice to disclose, that party shall

- (a) make the objection in writing, setting out the reason for the objection; and
- (b) file and serve the objection, together with the information which that party does not object to disclosing, within the time for service.

(4) Rule 32 (Discovery and Inspection of Documents), except rule 32.07(2) as modified by rule 56A.40, does not apply to a family law proceeding unless the court otherwise orders.

How to require disclosure of other information

56A.36. (1) In a family law proceeding where financial or property statements are required, a party may once without leave, and at any other time with leave of the Court, file and serve a notice to reply to written questions in Form 56A.36A.

(2) On being served with a notice to reply to written questions the opposite party shall answer the questions in the form of an affidavit filed and served within 15 days after service of that notice.

(3) Where the opposite party objects to answering a question asked in a notice to reply to written questions, that party shall

(a) make the objection in writing, setting out the reason for the objection; and

(b) file and serve the objection, with the affidavit answering those questions which that party does not object to answering, within 15 days after service of the notice.

(4) The court may make an order for costs where the questions are excessively long, irrelevant, or designed to unnecessarily delay or abuse the process of the proceeding.

(5) Rule 31 (Interrogatories) does not apply to a family law proceeding unless the court otherwise orders.

How to resolve disputes about disclosure

56A.37. (1) Where the response to a notice to disclose or a notice to reply to written questions is not satisfactory, the party asking for disclosure may apply to the Court for an order requiring the other party to give more or better information.

(2) Where an objection has been made under rule 56A.35 or 56A.36, either party may apply to the Court to decide the validity of that objection.

Consequences of non-disclosure

56A.38. If a party has not filed and served a financial statement or a property statement as required by this Part, or a response to a notice to

file income information, a notice to disclose, or a notice to reply to written questions served on him or her, on application the Court may make an order

- (a) where child support is in issue, concluding that the party has no answer to the claims against him or her and imputing income to the party in the amount that the Court considers appropriate;
- (b) that the party pay support in the amount that the Court considers appropriate;
- (c) directing that the party file and serve within a specified time
 - (i) the financial statement or property statement,
 - (ii) the income information requested in a notice to file income information,
 - (iii) the financial or property information requested in a notice to disclose,
 - (iv) the answers requested in a notice to reply to written questions;
- (d) granting any other remedy requested or appropriate; and
- (e) ordering the party to pay the other party's costs, including costs up to an amount that fully compensates the other party for all costs incurred in the proceedings.

Requirement to keep information current

56A.39. (1) If a party discovers that information that has been disclosed to another party was incorrect or incomplete when made, or that there has been a change in the information provided that is relevant to the matters in dispute, the party shall immediately file and serve on every other party to the claim

- (a) the correct information or a new statement containing the correct information; and
- (b) any documents substantiating the information.

(2) Where (1) applies the new financial statement or property statement or the affidavit shall be filed

- (a) at least 7 days before a hearing of an application or before a trial; or
- (b) at least 10 days before a case management meeting or pre-trial or settlement conference.

When non-parties have to disclose

56A.40. (1) Except as provided below, rule 32.07 (Order for production of documents) applies to a family law proceeding.

(2) Where the Court makes a determination of undue hardship under the guidelines, the Court may order any of the following persons residing with a party to file and serve a financial statement with Part 1 of that statement completed:

- (a) a person who has a legal duty to support the party or whom the party has a legal duty to support;
- (b) a person who shares living expenses with the party or from whom the party otherwise receives an economic benefit as a result of living with that person if it is reasonable to consider that person as part of the party's household; or
- (c) a child whom the party or the person described in (a) or (b) has a legal duty to support.

(3) The income tax information attached to the financial statement shall be for the three most recent taxation years.

(4) Where a party has not made satisfactory disclosure after service of an order to file and serve a financial statement or property statement, after service of an order to respond to a notice to file income information, a notice to disclose or a notice to reply to written questions or as may have been further directed by the Court, the Court may

- (a) order a person other than a party, including a corporation or government institution, to provide information in that person's custody or control that may be relevant to the issues before the Court; and

(b) give any directions that may be appropriate.

(5) A party seeking an order under (4) shall satisfy the Court that

(a) the party seeking the order has been unable to obtain the information by more informal methods;

(b) it would be unfair to require that party to proceed to trial without the information; and

(c) the disclosure requested

(i) will not unduly delay the progress of the family law proceeding,

(ii) will not entail unreasonable expense for any person,

(iii) will not result in unfairness to the person from whom disclosure is sought, or

(iv) is not otherwise prohibited by law.

(6) A person served with an order granted under (2) or (4) shall, within 30 days after service

(a) provide a written statement to the requesting party detailing the information requested; or

(b) bring an application for exemption from providing any or all of the requested information.

(7) An order granted under (2) or (4) shall contain a notice to the person ordered to provide the information, in the following form:

"Take notice that you must, within 30 days after service of this order on you

(a) provide a written statement to the requesting party detailing the information requested; or

(b) bring an application for exemption from providing any or all of the requested information.

If you fail to do so within the time given, the party seeking disclosure may apply on notice to the Court for an order to examine you for discovery, or for any other appropriate order requested."

(8) The Court may order that the costs of providing the information requested and the costs of the parties in an application under this rule be paid to or by

- (a) either of the parties to the family law proceeding; or
- (b) the person ordered to provide information.

Failure to obey disclosure order

56A.41. If a party does not obey an order requiring disclosure, the Court may

- (a) dismiss that party's family law proceeding;
- (b) strike out any document filed by that party;
- (c) make a contempt order against that party;
- (d) order that any information that should have appeared on a financial statement or property statement may not be used by that party at the application or trial;
- (e) make any other appropriate order, including those orders that may be made under rule 56A.34 (Consequences of non-disclosure).

Division IV

Proceedings under the *Divorce Act* (Canada)

How to apply for a divorce

56A.42. (1) A divorce proceeding may be started by,

- (a) either spouse filing an originating application naming the other spouse as a respondent; or
- (b) both spouses filing a joint originating application under rule 56A.45 with no named respondent.

(2) A divorce proceeding includes any application for corollary relief contained in the originating application seeking a divorce.

(3) In an application for divorce claiming that the other spouse committed adultery with another person, that person does not need to be named, but if named, shall be served with the originating application and has all the rights of a respondent in the case related to the allegation of adultery.

(4) The party filing an application for divorce shall file a certificate of the marriage or of registration of the marriage with the originating application.

(5) A person may apply to the court without giving notice to the other party for permission to file an originating application without a certificate of the marriage or of registration of the marriage if the applicant files an undertaking to file that certificate within a time specified by the Court.

(6) Where it is impossible or impractical to obtain a certificate of the marriage or of the registration of the marriage, the applicant may apply without giving notice to the other party for an order dispensing with the need to file one of these documents.

(7) The Court shall not grant a judgment for divorce

(a) until a written notification issued from the central registry of divorce proceedings under the *Central Registry of Divorce Proceedings Regulations* under the *Divorce Act* (Canada) has been filed indicating that no other divorce proceedings are pending; or

(b) unless the Court is satisfied that there is no prior pending divorce proceeding.

Divorce process

56A.43. Parties to a divorce may proceed by way of oral evidence or by filing written evidence under rule 56A.44.

Where the other party is not objecting

56A.44. (1) Where an applicant applies for a divorce judgment in an uncontested family law proceeding, in addition to the material required to be filed under rule 56A.24(5), the applicant shall also file

- (a) an affidavit completed by the applicant in Form 56A.24C, which shall set forth, in addition to the contents required under rule 56A.24(5)(c)
 - (i) if no certificate of the marriage or of registration of the marriage has been filed, sufficient particulars to prove the marriage,
 - (ii) evidence to satisfy the Court that there is no possibility of reconciliation of the spouses,
 - (iii) evidence to satisfy the Court that there has been no collusion,
 - (iv) the information about arrangements for the support of any children of the marriage required by the *Divorce Act* (Canada),
 - (v) the income and financial information required by the rules in this Part,
 - (vi) where a divorce is sought on the basis of separation, evidence that the spouses have lived separate and apart for at least one year immediately preceding the determination of the divorce proceeding and were living separate and apart when the proceeding was started,
 - (vii) where a divorce is sought on the basis of adultery or cruelty, evidence that the applicant has not condoned or connived at the act or conduct complained of,
 - (viii) where a divorce is sought on the basis of cruelty, evidence that the conduct of the respondent spouse makes continued cohabitation intolerable,
 - (ix) where a spousal support order is sought, evidence of the condition, means, needs and other circumstances of each spouse,

- (x) where a custody or access order is sought, evidence of the condition, means, needs and other circumstances of the child,
 - (xi) where the originating application is for custody, evidence of the willingness of the person seeking custody to facilitate contact with each parent,
 - (xii) the existence of a written agreement between the spouses, with a copy of the agreement attached where it is relevant to the relief claimed,
 - (xiii) the existence of a previous Court order between the spouses, with a copy of the order exhibited,
 - (xiv) where no address for service of the respondent has been provided by the respondent or given in the affidavit of service, evidence to satisfy the Court of the present address of the respondent or evidence to satisfy the Court that service of the judgment on the respondent should be dispensed with, and
 - (xv) any other information necessary for the Court to grant the divorce;
- (b) where a divorce is sought on the basis of adultery
- (i) an affidavit of respondent, admitting adultery, in Form 56A.44A, with sufficient particulars to prove the adultery, or
 - (ii) any other evidence that may satisfy the Court that the respondent has committed adultery;
- (c) any other supporting materials and affidavits that may be necessary or desirable;
- (d) a draft judgment in Form 56A.46A;
- (e) where child support is claimed, a draft child support order;
- (f) a draft certificate of divorce in Form 56A.47A completed to the extent possible; and

(g) 4 envelopes, approximately 19 centimetres by 26.5 centimetres,

(i) 2 of which are addressed to the respondent at the address given in the affidavit of service of the application, or any other address that may satisfy the Court that a copy of the judgment will reach the respondent, unless ordered otherwise, and

(ii) 2 of which are addressed to the applicant at the address for service provided by the applicant.

(2) The court may require oral evidence before the granting of an order for divorce.

(3) Where an applicant does not apply for judgment in an uncontested divorce proceeding based on separation, the respondent may apply by notice of application for judgment in Form 56A.24A, and if the respondent does so, the respondent shall file with that notice

(a) an application for judgment in Form 56A.24B requesting that the action be determined on the basis of affidavit evidence;

(b) an affidavit of the respondent which shall be in Form 56A.24C with any necessary modifications and which shall also comply with the requirements of (1)(a); and

(c) any other affidavits or supporting materials that may be required in the proceeding.

(4) Where a statute requires the Court to state reasons and oral evidence has not been heard, the judge making the decision may state the reasons of the Court by noting them on the folder containing the court record.

Applying jointly for divorce

56A.45. (1) A divorce proceeding may be started by 2 spouses together where the facts establishing the breakdown of the marriage and the relief claimed are not in dispute.

(2) Where a divorce proceeding has been started by both spouses, the spouses are called co-applicants, and the originating application for divorce

- (a) need not include the notice to respondent;
- (b) shall be signed by the co-applicants;
- (c) shall be signed and sealed by the local registrar following the signatures of the co-applicants;
- (d) need not be served on either of the co-applicants; and
- (e) need not be noted for default.

(3) An application made under this rule shall include the information required in rule 56A.33 (When parties apply together under the *Divorce Act* (Canada)).

(4) A spouse who wishes to withdraw from a joint originating application for divorce shall

- (a) file and serve a notice of withdrawal of joint originating application in Form 56A.45A; and
- (b) if that spouse wishes to oppose the claim for divorce or other relief claimed, or wishes to claim other relief, file and serve a response at the time of filing and serving the notice of withdrawal of pleading.

(5) Where co-applicants apply for judgment in a divorce proceeding, they shall file and the registrar shall place before the Court the materials required under rule 56A.24(5) and rule 56A.44(1), with any necessary modification.

(6) Where a statute requires the Court to state reasons, the judge making the decision may state the reasons of the Court by noting them on the folder containing the court record.

Judgment of divorce

56A.46. (1) A judgment in a divorce proceeding shall be in Form 56A.46A.

(2) A separate formal order for child support shall be issued by the Court where support is granted.

(3) Where a claim for divorce is made together with one or more other claims, the Court may

(a) grant a divorce and direct that a judgment of divorce alone be entered; and

(b) either

(i) adjourn the hearing of the other claims, or

(ii) give judgment on the other claims.

(4) In uncontested divorce proceedings, the registrar shall immediately forward to each of the parties, by ordinary mail

(a) a copy of the judgment granting a divorce; and

(b) a copy of any child support order.

Certificate of divorce

56A.47. (1) A certificate of divorce, stating that a divorce dissolved the marriage of the parties as of a specified date, shall be in Form 56A.47A.

(2) The registrar shall issue a certificate of divorce, on request of either party, on or after the day on which the judgment granting the divorce takes effect, where

(a) the registrar is satisfied that an appeal is not in process; or

(b) the spouses have signed and filed with the registrar an undertaking that no appeal from the judgment will be taken, or if any appeal has been taken, that it has been abandoned.

(3) In uncontested divorce proceedings, the registrar shall complete the certificate of divorce and mail a copy to each of the parties immediately after the divorce judgment takes effect.

(4) Where a certified copy of the certificate of divorce is requested, the registrar shall provide a copy under the seal of the Court.

How to register orders made in another judicial centre under the *Divorce Act* (Canada)

56A.48. A support order, custody or access order, variation order or interim support or custody order made under the *Divorce Act* (Canada) may be registered by filing a certified copy of the order in the office of the Court, at any judicial centre, with a written request that it be registered.

How to transfer a divorce proceeding

56A.49. A divorce proceeding may be transferred under section 6 of the *Divorce Act* (Canada) to the Court from a Court outside the province by filing certified copies of all pleadings and orders made in the proceeding.

Registrar to forward forms

56A.50. The registrar in the office in which the proceedings were started shall complete the forms required by the *Central Registry of Divorce Proceedings Regulations* under the *Divorce Act* (Canada) and forward them to the Central Registry of Divorce Proceedings at Ottawa as required by those regulations.

Corollary relief proceeding

56A.51. (1) A person who is divorced who wishes to start a corollary relief proceeding shall do so by filing an application in Form 56A.06.

(2) Where both former spouses start a corollary relief proceeding together

- (a) the application shall be signed by both of them;
- (b) the application need not be served on either of them; and
- (c) the judgment granting the divorce shall be attached to their joint affidavit.

Division V
Variation of Orders

Affidavit supporting an application for variation

56A.52. An affidavit supporting an application for variation shall set out

- (a) the place where the parties and the children ordinarily reside;
- (b) the names and birth dates of every child of each of the parties in the custody or care of either of them;
- (c) if a party has married or begun living with another person;
- (d) details of current custody and access arrangements;
- (e) details of current support arrangements, including details of any unpaid support;
- (f) details of the current financial circumstances of the parties, with a financial statement completed by the party applying for variation where required by Division III;
- (g) details of the variation asked for and of the changed circumstances that justify a variation of the order or agreement; and
- (h) in an application to vary a support order or agreement, whether the support was assigned to be paid to someone else and any details of that arrangement known to the party asking for the variation.

Copies of documents required

56A.53. (1) A copy of the following shall be filed in support of an application for variation:

- (a) any existing order that deals with custody, access or support; and
- (b) where the order to be varied was granted in a divorce proceeding by a court outside Newfoundland and Labrador, a copy of the original pleadings.

(2) A copy of any existing agreement that deals with custody, access or support shall be attached to the affidavit in support of an application for variation.

(3) For the purposes of this rule, a document that has previously been filed with the Court need not be filed or attached to the affidavit in support of the application if the affidavit identifies the document, states that document is in the Court file, and states the date the order was made or the document was filed.

Other provisions apply

56A.54. (1) The provisions for financial disclosure in this Part apply to an application for variation.

(2) The provisions of rule 56A.51(2) apply to an application for variation of child support.

(3) The provisions of rule 56A.51(2) respecting joint applications apply to an application for variation of corollary relief order under the *Divorce Act* (Canada).

Registrar to forward order - *Divorce Act* (Canada)

56A.55. Where the Court varies, other than provisionally, a corollary relief order made under the *Divorce Act* (Canada) by a Court outside the province, the registrar shall forward a certified copy of the variation order to

- (a) the court that made the original order; and
- (b) any other court that has varied the original order.

Division VI

Children - Custody, Access and Support

Children must be named

56A.56. An application or response claiming divorce, custody, access or child support shall

- (a) set out the names and birth dates of every child of the applicant or the respondent in the custody or care of either of

them and whether or not any relief is claimed with respect to that child; or

- (b) include a statement that there are no children of the parties who are in the custody or care of either of them.

Discovery only by leave

56A.57. A party is not permitted to examine another party for discovery purposes on matters of custody of or access to a child without permission from the Court.

Child support - required documents

56A.58. (1) A party claiming child support or variation of child support shall file and serve a child support information sheet in Form 56A.58A with the application or response.

(2) If an application contains a claim for variation of a support order or agreement, any required income information previously disclosed and filed with the Court need not be filed again, if a document is filed identifying the income information, stating that it is in the Court file, and stating the date it was filed with the Court.

(3) Where there is a claim for child support, the registrar shall not accept a party's financial information unless

- (a) copies of the party's income tax returns and notices of assessment are attached as the form requires, except where a copy is identified as already in the Court file;
- (b) a statement from the Canada Customs and Revenue Agency that the party has not filed any income tax returns is attached;
- (c) the party's signed Canada Customs and Revenue Agency Consent in Form 56A.58B for disclosure of the party's income tax returns and notices of assessment, is attached; or
- (d) the financial statement contains a declaration that the party is not required to file an income tax return by reason of the *Indian Act* (Canada).

(4) All applications for consent orders and applications for judgment in uncontested family law proceedings, where there are children, shall be accompanied by the child support information sheet.

(5) The party claiming child support or variation of child support shall include the following in the application or response:

- (a) whether child support is sought in accordance with the table amount determined under the guidelines;
- (b) whether the party claims
 - (i) there is a child of the age of majority or over,
 - (ii) the income of the payor is over \$150,000,
 - (iii) the payor stands in the place of a parent for the child,
 - (iv) there is split custody, each party having custody of one or more children, or
 - (v) there is shared custody of a child;
- (c) whether a claim for undue hardship is being advanced; or
- (d) whether special or extraordinary expenses are sought, the child to whom the expense relates and the particulars of the expense and amount claimed.

(6) If the party opposing the claim asserts a claim listed in paragraph (5)(b), (c) or (d), that party shall give written notice of the claim by serving and filing the written notice in accordance with the time limits in this rule for serving and filing a response to the claim.

(7) An order for child support or variation of child support shall include the following information:

- (a) the name and birth date of each child to whom the order relates;
- (b) the income of any party whose income is used to determine the amount of the child support order;

- (c) the table amount determined under the guidelines for the number of children to whom the order relates;
- (d) for a child the age of majority or over, the amount that the Court considers appropriate, having regard to the condition, means, needs and other circumstances of the child and the financial ability of each party to contribute to the support of the child;
- (e) the particulars of any special or extraordinary expense described in the guidelines, the child to whom the expense relates, and the amount of the expense or, where that amount cannot be determined, the proportion to be paid in relation to the expense;
- (f) the date on which the lump sum or first payment is payable and the day of the month or other time period on which all subsequent payments are to be made; and
- (g) that it shall be enforced by the Director of Support Enforcement and that amounts owing under the order shall be paid to the person to whom it is owed through the director unless the order is withdrawn from the director.

Division VII

Certain Uncontested Family Law Proceedings

Applying to nullify a marriage

56A.59. Where an applicant applies in an uncontested family law proceeding to nullify a marriage, in addition to the contents required under rule 56A.24(5)(c), the affidavit of applicant in Form 56A.24C shall also set forth

- (a) if no certificate of the marriage or of registration of the marriage has been filed, other information that proves the marriage; and
- (b) evidence that there has been no collusion or connivance between the parties.

Under the *Children's Law Act*

56A.60. Where an applicant applies for judgment in an uncontested family law proceeding under the *Children's Law Act*, in addition to the material required to be filed under rule 56A.24(5), the applicant shall also file the affidavit of applicant in Form 56A.24C, which shall include, in addition to the contents required under rule 56A.24(5)(c)

- (a) where the applicant is not a parent, evidence to satisfy the Court that the applicant has a sufficient interest;
- (b) where the originating application is for custody, evidence of the willingness of the person seeking custody to facilitate contact with each parent;
- (c) where the originating application is for custody or access, evidence of the quality of the relationship that the child has with the applicant, the personality, character and emotional needs of the child, the capacity of the applicant to act as legal custodian of the child or to care for the child during the times that the child is in the applicants care, and the wishes of the child, having regard to the age and maturity of the child;
- (d) where the originating application is for custody, evidence of the physical, psychological, social and economic needs of the child, the home environment proposed to be provided for the child, and the plans that the applicant has for the future of the child;
- (e) where the originating application is for the appointment of a guardian of the property of a child, evidence of the ability of the proposed guardian to manage that property, the merits of the plan indicated by the proposed guardian for the care and management of the property, the personal relationship between the proposed guardian and the child, and the wishes of the parents of the child; and
- (f) the existence of any written agreement, deed, will, or previous Court order applicable to the order sought, with a copy attached.

Under the *Family Law Act*

56A.61. Where an applicant applies for judgment for spousal support in an uncontested family law proceeding under the *Family Law Act*, in addition to contents required under rule 56A.24(5), the affidavit of the applicant in Form 56A.24C shall include:

- (a) the age and physical and mental health of the spouses;
- (b) the length of time the spouses cohabited and information about how the applicant may become financially independent and how long it will take;
- (c) the legal obligation of either spouse to provide support for another person; and
- (d) the existence of a written agreement or previous court order applicable to the claim for support with a copy of the agreement or order attached.

Division VIII
Enforcement under the
Support Orders Enforcement Act

Enforcement of judgments and orders

56A.62. A judgment or order for support may be enforced in accordance with the *Support Orders Enforcement Act*.

Division IX
Reciprocal Support Orders

Interpretation of division

56A.63. In this Division

- (a) "Act" means the *Reciprocal Enforcement of Support Orders Act*;
- (b) "applicant" includes
 - (i) a claimant as defined in paragraph 2(c) of the Act,
 - (ii) a respondent who makes an application for variation under subsection 2(1) of the Act, and

- (iii) a former spouse who makes an application for variation under section 18 of the *Divorce Act* (Canada);
- (c) "final order" means a final order as defined in paragraph 2(f) of the Act;
- (d) "minister" means the Attorney General; and
- (e) "provisional order" means
 - (i) a provisional order as defined in paragraph 2(h) of the Act, or
 - (ii) in the case of a proceeding brought under the *Divorce Act* (Canada), a provisional order for variation made under section 18 of the *Divorce Act* (Canada).

Application of Division

56A.64. This Division applies to family law proceedings under

- (a) the Act; and
- (b) sections 18 and 19 of the *Divorce Act* (Canada).

Registration of final orders

56A.65. (1) On receipt of a certified copy of an interim or final order made by a court outside Newfoundland and Labrador the registrar shall enter particulars of the order in the usual manner and endorse on it the following certificate:

"This order has been registered in the (*name of Court*) at the Judicial Centre of _____, this _____ day of _____, 2_____, under s. 3 of the *Reciprocal Enforcement of Support Orders Act*."

(2) On application, the Court may set aside the registration of a final order on the basis that the order

- (a) was obtained by fraud or error; or
- (b) was not a final order.

Provisional order made in Newfoundland and Labrador

56A.66. (1) An applicant who wishes to commence an application for a provisional order shall do so by filing the documents required

(a) by these rules; or

(b) by statute under which the applicant claims entitlement to support or variation of support.

(2) An application under this rule may be made without notice.

(3) An application for a provisional order shall be accompanied by a statement giving any available information respecting the identification, location, income and assets of the other party.

(4) The registrar shall endorse a certificate at the end of a provisional order, stating the order is made provisionally and has no legal effect until confirmed.

(5) Where the Court makes a provisional order, the registrar, or the applicant or his or her lawyer, shall send to the minister

(a) the documents filed in accordance with (1) and (3);

(b) a certified or sworn document setting out or summarizing the evidence given to the Court;

(c) 3 certified copies of the provisional order; and

(d) where the provisional order is not made under the *Divorce Act* (Canada), a copy of the enactments under which the alleged maintenance obligation arises.

(6) Where a court outside Newfoundland and Labrador remits any matter back to the Court for further evidence

(a) the registrar shall give to the applicant a notice of taking of further evidence in Form 56A.66A; and

(b) the matter may be brought before any judge of the Court.

(7) Where the Court receives further evidence under this rule, the registrar shall forward to the court outside Newfoundland and Labrador that remitted the matter back

- (a) a certified or sworn document setting out or summarizing the evidence; and
- (b) any recommendations that the Court considers appropriate.

(8) Where confirmation of a provisional order made in Newfoundland and Labrador under the Act is denied by a court in a reciprocating state, on application made by the applicant within 6 months from the denial of the confirmation, the Court may reopen the matter and receive further evidence.

Confirmation of provisional order made outside Newfoundland and Labrador

56A.67. (1) On receipt of a provisional order for confirmation in Newfoundland and Labrador, the registrar or the minister shall serve on the person against whom the order has been made

- (a) a notice of confirmation hearing in Form 56A.67A;
- (b) a copy of the documents received from the court outside Newfoundland and Labrador that made the provisional order; and
- (c) Parts 1 to 5 of an uncompleted financial statement in Form 56A.27A.

(2) The Court may make an interim order for support where

- (a) the matter is remitted back to the court outside Newfoundland and Labrador that made the provisional order for further evidence; or
- (b) the matter is adjourned because the law of the reciprocating state was not pleaded.

(3) Where the Court has requested further evidence on a confirmation hearing and that evidence has been received, the registrar or the minister shall serve the following on the persons concerned:

- (a) a notice of continuation of hearing in Form 56A.67B; and
 - (b) a copy of the documents sent by the court outside Newfoundland and Labrador.
- (4) An order confirming or otherwise dealing with a provisional order may be in Form 56A.67C.
- (5) An order confirming or otherwise dealing with a provisional order for child support, including an interim order, shall be in accordance with the guidelines.
- (6) Where the Court makes an order refusing to confirm or varying a provisional order for support, the Court shall provide written reasons for its decision
- (a) to the minister; and
 - (b) to the court that made the provisional order.
- (7) Where an order is made confirming a provisional order, with or without variation, the registrar or the minister shall file the order in the Court.
- (8) On completion of the confirmation hearing the registrar shall forward a certified copy of the order
- (a) to the minister;
 - (b) to the court that made the provisional order; and
 - (c) to the court that made the support order, where it is not the court that made the provisional order.

Division X Other Matters

Investigation and report to judge

56A.68. (1) During a proceeding, the Court may direct a person to make an investigation and report relating to the proceeding in which support of a spouse or child or custody of or access to a child is in issue and may receive evidence resulting from the investigation.

(2) All reports directed by the judge under this rule and all depositions and written admissions of evidence upon which an order of the Court is founded shall be filed in the registry.

(3) The person making an investigation and report shall serve a copy of the report upon every party to the proceeding at least 24 hours before presenting that report to the Court.

(4) The person making that investigation is a competent and compellable witness.

(5) A party may cross-examine a person giving evidence obtained in the course of an investigation under this rule and may give evidence in reply.

Liberal construction

56A.69. These rules shall be construed liberally to secure an inexpensive and expeditious but just conclusion in every proceeding.

Non compliance with rules

56A.70. Non-compliance with these rules shall not render a proceeding void unless the Court directs, but that proceeding may be set aside wholly or in part as irregular, or amended, or the Court may grant relief it considers necessary upon the terms and conditions it considers proper for the purpose of securing the just determination of the proceedings.

Direction from judge

56A.71. A judge may give directions for the expeditious handling of a matter before the court or where strict adherence to a rule would cause injustice.

Form 56A.06A

(rule 56A.06)

In the Supreme Court of Newfoundland and Labrador
Trial Division/Unified Family Court

Court No. _____
Court File No. _____
Central Divorce Registry No. _____ (if applicable)

BETWEEN: _____ APPLICANT

and

_____ RESPONDENT

Originating Application

To this Honourable Court:

1. I/We hereby seek an order for the following:

- | | | |
|--|--|--|
| <input type="checkbox"/> Divorce | <input type="checkbox"/> Spousal Support | <input type="checkbox"/> Costs |
| <input type="checkbox"/> Child Support | <input type="checkbox"/> Parental Support | <input type="checkbox"/> Other (specify) |
| <input type="checkbox"/> Custody | <input type="checkbox"/> Division of Matrimonial Property | |
| <input type="checkbox"/> Access | <input type="checkbox"/> Claim for Property made by common law spouses | |

And/Or I seek to vary the support/custody/access order of Justice
_____ at the _____ Court at _____
in the Province of _____ made on the _____ day
of _____, 20____.

And I/We request

- ☐ that this application be dealt with by the Court without a
hearing as permitted by the rules
- or
- ☐ that the Court hold a hearing to deal with this application

Where claim includes divorce

2. My/Our grounds for seeking a divorce are a permanent breakdown of the marriage which has been established by:

- ☐ (a) we have lived separate and apart for at least one year immediately preceding the determination of the divorce proceeding and were living separate and apart at the commencement of the proceeding;

or

- ☐ (b) the Respondent has, since celebration of the marriage,
☐ committed adultery,

or

- ☐ treated me with physical and/or mental cruelty of such a kind as to render our continued cohabitation intolerable;

and there has been no condonation or connivance on my part with respect to the conduct alleged above.

3. It is no longer possible for me to reconcile or resume cohabitation with my spouse.

4. I have not entered into any agreement with my spouse or any other person to deceive this Court.

5. I/my spouse has/have been ordinarily resident in the Province of Newfoundland and Labrador for at least one year immediately preceding the date of this petition.

6. Particulars of my marriage:

(a) Date of marriage _____

(b) Place of marriage _____

(c) Date I ceased cohabiting with my spouse _____

(d) Immediately before the marriage I was:

☐ Single ☐ Divorced ☐ Widowed

My spouse was:

☐ Single ☐ Divorced ☐ Widowed

To be completed for all claims other than divorce (see affidavit)

7. (a) That the parties were married on _____, and separated _____; and

- ☐ an originating application for divorce has been commenced in the Supreme Court at _____ but has not yet been heard; or
- ☐ an originating application for divorce has not been commenced.

or

(b) That the parties were divorced on _____ in the _____ Court at _____.

or

(c) That the parties were never married and never lived together but were in a relationship that began _____ and ended _____.

or

That the parties were never married but lived together from _____ to _____.

or

(d) Other (*provide details*) _____

To be completed for all claims (if applicable):

	Applicant	Respondent
Surname		
Place of Birth		
Date of Birth		
Present Address		
Phone Number		

8. (a) Children:

Child's Full Name	Place and Date Of Birth	Resides With

(b) The *present* parenting (custody and access) arrangements are:

(c) The *proposed* parenting (custody and access) arrangements are as follows:

(d) The *present* arrangements for the support of our child(ren) is/are :

(e) The *proposed* arrangements for the support of our child(ren) is/are:

9. Listed below are all written agreements and court orders affecting the child/ren, me, or my spouse

10. Child Support:

- ☐ I am claiming the basic table amount as per the *Federal Child Support Guidelines*.
- ☐ I am claiming the basic table amount plus an amount for special expenses.
- ☐ I am not claiming the basic table amount but I am claiming an amount for special expenses.
- ☐ I am claiming an amount for child support which is different from the basic table amount in the *Federal Child Support Guidelines* because:
 - ☐ (a) Of a claim for undue hardship.
 - ☐ (b) The child(ren) is/are at or over the age of majority.
 - ☐ (c) I exercise a right of access to, or have physical custody of the child(ren) for not less than 40% of the time over the course of the year.
 - ☐ (d) We have agreed to an amount of support.
 - ☐ (e) Of special provisions as per subsection 15.1(5) of the *Divorce Act* (Canada).
 - ☐ (f) Income is in excess of \$150,000 annually.

11. Spousal Support:

- ☐ I am claiming spousal support. I am attaching a financial statement.
- ☐ I am not claiming spousal support.

12. Financial Information: (*If support is an issue*)

(a) My employer's name and address:

(b) My gross income: monthly \$_____ yearly \$_____

(c) The total income declared on my last income tax return in _____ was \$_____.

(d) Name and address of my spouse's employer is:

(e) My spouse's gross income: (if known)

monthly \$_____ yearly \$_____

(f) The total income declared on my spouse's last income tax return in _____ was: (if known) \$_____.

13. I am claiming

- ☐ Exclusive possession of the matrimonial home
- ☐ Division of matrimonial property
 - ☐ Equal (skip paragraph 14)

or

- ☐ Unequal (complete paragraph 14 below)
- ☐ Property of my common law spouse (complete paragraph 14 below)

14. The basis for my claim for

- ☐ an unequal division of matrimonial property
- or
- ☐ property of my common law spouse,

is:

I, _____, the Applicant, declare the contents of the within originating application are true to the best of my information and belief.

SWORN (OR AFFIRMED) at _____ in the Province
of Newfoundland and Labrador this _____ day of
_____, _____

Commissioner of Oaths/
Justice of the Peace

Signature

Address of Applicant

This document must be personally served upon the Respondent by an adult other than the Applicant.

To be completed where claim includes divorce

Statement Of Solicitor

I, _____, the Solicitor for
_____, the Applicant herein, certify to
this Court that I have complied with the requirements of
section 9 of the *Divorce Act* (Canada).

DATED at _____, this _____ day of
_____, _____.

Signature of Solicitor

Address of Solicitor

Claim for Special Expenses

Under the *Federal Child Support Guidelines*, a claim is made for additional support to defray the following special expenses: [check appropriate items]:

1. ☐ Child care expenses incurred as a result of the custodial parent's employment or training for employment, illness, disability, education:

Monthly \$ _____ Yearly \$ _____

2. ☐ A portion of medical and dental insurance premiums:

Monthly \$ _____ Yearly \$ _____

3. ☐ Health related expenses that exceed insurance reimbursement by at least \$100 annually per illness or event, including orthodontic treatment, professional counselling provided by a psychologist, social worker, psychiatrist any other person, physiotherapy, occupational therapy, speech therapy and prescription drugs, hearing aids, glasses and contact lenses:

Monthly \$ _____ Yearly \$ _____

4. ☐ Extraordinary expenses for primary or secondary school education or for educational programs that meet the child's particular needs:

Monthly \$ _____ Yearly \$ _____

5. ☐ Post-secondary education expenses:

Monthly \$ _____ Yearly \$ _____

6. ☐ Extraordinary expenses for extracurricular activities:

Monthly \$ _____ Yearly \$ _____

The amount claimed is \$ _____, taking into account subsidies, benefits or income tax deductions or credits relating to the expense.

Claim Based on Undue Hardship

Under the *Federal Child Support Guidelines*, a claim is made for an amount of support different from that which would be awarded under the provincial payment schedules contained in Schedule I of the *Federal Child Support Guidelines* based upon undue hardship.

1. ☐ I have responsibility for an unusually high level of debts reasonably incurred to support my spouse/child(ren) before the separation or to earn a living.

Amount \$ _____

2. ☐ I have unusually high expenses in relation to the exercise of my access rights.

Amount \$ _____

3. ☐ I have a legal duty under a judgment, order or written separation agreement for support.

Amount \$ _____

4. ☐ I have a legal duty to support a child, other than a child of the marriage who is

☐ under the age of majority; or

☐ the age of majority or over but unable by reason of illness, disability or other cause to obtain the necessities of life.

Amount \$ _____

5. ☐ I have a legal duty to support _____ [identify individual] who is unable to obtain the necessities of life due to an illness or disability.

Amount \$ _____

In the Supreme Court of Newfoundland and Labrador
Trial Division/Unified Family Court

Court No. _____

Court File No. _____

BETWEEN: _____ APPLICANT

and

_____ RESPONDENT

Notice to Respondent

An Originating Application has been made for an order against you.
The details are set out in the attached Originating Application.

If you dispute any of the claims or if you wish to make a claim yourself, you must file a Reply at the Court within the following times:

If served anywhere in Canada, within 30 days from the date of service.

If served outside of Canada, within 60 days from the date of service.

If you do not file a Response, the Court may proceed without giving you further notice.

You must file a financial statement (on the form provided by or available at the Court)

If there is a claim for child support, you must also file with the Court and serve on the Respondent each of the following within the time set out above:

- written statement from your employer confirming your year to date earnings, including overtime, and rate of annual pay
- copies of your tax return for the last 3 years
- copies of the Notices of Assessment or Re-assessment issued by Revenue Canada with respect to each of the last 3 years

tax returns. You may contact Revenue Canada at 1-800-959-8281.

If you have income from self-employment, a partnership, or a corporation in which you have a controlling interest, or if you are a beneficiary of a trust, you must also comply with subsection 11(1) of the *Federal Child Support Guidelines*. For more information relating to child support, consult the *Federal Child Support Guidelines*.

The financial information outlined above must be provided as well if there is a claim for Special Expenses or Undue Hardship.

If you do not file the required financial information, an order may be made and enforced against you.

DATED this _____ day of _____, _____.

Deputy Registrar/
Clerk of the Supreme Court
of Newfoundland and Labrador
Trial Division/Unified Family Court

Form 56A.10A

(rule 56A.10)

Affidavit Of Personal Service

I, _____, of the _____ of
_____, in the _____ of
_____, make Oath and Say/Affirm as follows:

1. On the _____ day of _____, 2____, I personally served the respondent, _____, with a true copy of the (*name of document*) _____, an original being part of the court file, by leaving a true copy with him (*or her*) at _____.

2. My means of knowledge as to the identity of the respondent are as follows:

(a)

(b)

3. The postal address of the respondent is _____

4. The basis of my information and belief as to the postal address of the respondent is: _____

5. To effect service I necessarily travelled _____ kilometres.

SWORN/AFFIRMED, etc.

Form 56A.10B

(rule 56A.10)

Affidavit Of Service By Ordinary Mail

I, _____, of the _____ of
_____, in the _____ of
_____, make Oath and Say/Affirm as follows:

1. I served the respondent, _____, with a true copy of the (*name of document*) _____ which is attached as exhibit "_____" (*or* an original being part of the court file), by enclosing it in an envelope addressed as follows: _____ and by posting it by ordinary mail, postage prepaid, at the post office at _____, on the _____ day of _____, 2____.

2. (a) The postal address used is the address for service provided by the respondent on the most recent document filed in court by the respondent and the envelope has not been returned to me.

or

(b) The basis of my information and belief as to the postal address of the respondent is:

and/or

3. (a) Also enclosed in the envelope together with the true copy of the _____ was a prepaid return postcard in Form 56A.10C

or

(b) The postcard, in which receipt of the document(s) is acknowledged, was returned to me and is attached to this affidavit as exhibit "_____".

SWORN/AFFIRMED, etc.

Form 56A.10C

(rule 56A.10)

In the Supreme Court of Newfoundland and Labrador
Unified Family Court

Judicial Centre of _____

Acknowledgement Of Service Postcard

You are asked to fill out and sign this card and to mail it immediately. If you do not return this card, the document(s) listed below may be personally served on you and you may be ordered to pay the costs of service.

My name is: (full legal name) _____

I may be served at: (address where court documents may be mailed to you) _____

I acknowledge receiving a copy of the following document(s):

- | | |
|--|---|
| <input type="checkbox"/> Notice of motion dated _____ | <input type="checkbox"/> Affidavit of (name) _____ |
| <input type="checkbox"/> Financial statement dated _____ | <input type="checkbox"/> dated _____ |
| <input type="checkbox"/> Notice to File Income Information dated _____ | <input type="checkbox"/> Notice to Disclose dated _____ |
| <input type="checkbox"/> Notice to Answer Written Questions dated _____ | <input type="checkbox"/> Answer dated _____ |
| <input type="checkbox"/> (Other. Give title and date of document.) _____ | |

Signature

Date of signature

Notice: The address that you give above will be used in future to serve documents by mail until you inform the other parties and the court office of a new address for service.

Form 56A.10D

(rule 56A.10)

Acknowledgement of Service

The person who serves this notice shall request at the time of service that the Respondent / Applicant complete and sign in the server's presence the following Acknowledgement of Service and the server shall sign as a witness to any signature thereto.

I am _____, the Respondent/Applicant named in the Originating Application/Application/Response. I have this _____ day of _____, _____, at _____, in the Province of _____, received a copy of the within Originating Application/Application/Response. My mailing address for further service of documents is: _____

_____.

Witness

Signature of Respondent /
Applicant

Form 56A.12A

(rule 56A.12)

In the Supreme Court of Newfoundland and Labrador
Trial Division/Unified Family Court

Court No. _____

Court File No. _____

Central Divorce Registry No. _____ (if applicable)

BETWEEN: _____ APPLICANT

and

_____ RESPONDENT

Response

1. ☐ I do not contest any of the claims for relief.

or

2. ☐ (a) I agree to the following claims for relief:

_____ ; and

(b) I contest the following claims for relief:

_____.

3. ☐ I seek an order for the following relief:

4. ☐ I dispute the following allegations in the Originating Application/Application:

DATED this _____ day of _____, _____.

Signature of Respondent

Form 56A.13A

(rule 56A.13)

Demand for Notice

TO: The applicant (name) _____

I, _____, demand that notice of all further pleadings and proceedings be served on me.

DATED at _____, Newfoundland and Labrador, this
_____ day of _____, 2____.

Respondent or Respondent's lawyer

This document was delivered (etc.)

Form 56A.14A

(rule 56A.14)

Reply

1. I admit the particulars contained in paragraphs ____ of the Response.

2. I deny the particulars contained in paragraphs ____ of the Response.

3. *(Set out in separate, consecutively numbered paragraphs a statement of the material facts relied on by way of reply to the answer.)*

DATED at _____, Newfoundland and Labrador, this
_____ day of _____, 2____.

Applicant or Applicant's lawyer

This document was delivered (etc.)

Form 56A.15A

(rule 56A.15)

Notice of Default

I hereby certify that no Response or other documentation has been filed in response to the Application filed in this matter by the respondent and that the applicant is entitled to proceed without further notice to the respondent.

Registrar

Form 56A.16A

(rule 56A.16)

In the Supreme Court of Newfoundland and Labrador
Trial Division/Unified Family Court

Court No. _____
Court File No. _____
Central Divorce Registry No. _____ (if applicable)

BETWEEN: _____ APPLICANT

and

_____ RESPONDENT

**Interim Application
Family Law Proceeding**

TAKE NOTICE that an application will be made to the presiding judge in chambers at the court house in _____, Newfoundland and Labrador, at ____ o'clock in the ____ noon on the ____ day of _____, 2____ or so soon thereafter as the matter may be heard on behalf of the applicant (*or* respondent, *as the case may be*) for an order that:

(a) (state the precise relief sought);

(b)

ON THE FOLLOWING GROUNDS:

(a) (set out the legal basis which the party bringing the application relies upon to justify the relief sought)

(b)

AND FURTHER TAKE NOTICE that in support of this application will be read the Affidavit of (*name of person bringing application*) _____. (*Also set out here any other material to be used, including the financial disclosure required of you under*

Division III, and the Child Support Information Sheet, where child support is sought.)

AND FURTHER TAKE NOTICE if you wish to oppose the application, you or your lawyer must prepare an affidavit in response, serve a copy at the address for service given at the end of this document, and file it in the court registry office, with proof of service, at least one day before the date set for hearing the application. You or your lawyer must also come to court for the hearing of the application on the date set.

(Include this paragraph where a support order is sought) AND FURTHER TAKE NOTICE that whether or not you oppose this application, you must serve and file a Financial Statement in Form 56A.27A at least one day before the date set for hearing the application. If this application includes a claim for child support, and you do not comply with this notice or the Notice to File Income Information which has also been served on you, THE COURT MAY IMPUTE INCOME TO YOU AND MAY DETERMINE THE AMOUNT OF CHILD SUPPORT PAYABLE ON THE BASIS OF THAT IMPUTED INCOME. If you have been served with an application for child support, please consult the Federal/Provincial Child Support Guidelines.

AND FURTHER TAKE NOTICE that if you do not appear at the hearing [or fail to provide the required financial information (*where a support order is sought*)] an order may be made in your absence and enforced against you. YOU WILL NOT RECEIVE FURTHER NOTICE OF THIS APPLICATION.

DATED at _____, Newfoundland and Labrador, this
_____ day of _____, 2____.

Signature

To: Address for service on Applicant/Applicant's lawyer

Form 56A.24A

(rule 56A.24)

Notice of Application for Judgment

To The Respondent (*or* the Petitioner):

TAKE NOTICE that an application for judgment in this proceeding will be made to the presiding judge at the Court House in _____, Newfoundland and Labrador, on _____ day, the _____ day of _____, 2____, at _____ o'clock in the _____ noon or so soon thereafter as the matter may be heard.

AND FURTHER TAKE NOTICE that in support of the application will be read the pleadings in this proceeding, the affidavit of service of the originating application and the affidavit of the applicant (*or* respondent) (*also set out here any other material filed*).

DATED at _____, Newfoundland and Labrador, this _____ day of _____, 2____.

Signature

This document was delivered (*etc.*)

Form 56A.24B

(rule 56A.24)

Application for Judgment

To the Registrar at _____

1. The applicant (*or* The co-applicants *or* The respondent) request(s) that this proceeding be set down for determination as an uncontested proceeding to be heard under rule 56A.24 on the basis of affidavit evidence.

2. The applicant(s) claim(s) the following relief:

- _____ Divorce _____ early date of effect of judgment
- _____ Custody
- _____ Access
- _____ Spousal support in the amount of \$_____ per month
- _____ Support for children in the amount of \$_____ per month
- _____ Parental support
- _____ Relief under the *Family Law Act* (Division of matrimonial property)
- _____ Claim for property by common law spouse
- _____ Costs
- _____ Other (*specify*)

3. The following pleadings, proceedings and documents are on file:

- _____ Originating Application/Application
- _____ Response
- _____ Reply
- _____ Demand for Notice, *and*
- _____ Notice of Application for Judgment
- _____ Marriage registration or
- _____ Order dispensing with production of marriage registration
- _____ Child Support Information Sheet
- _____ Financial Statements _____ applicant _____ respondent
- _____ Property Statements _____ applicant _____ respondent
- _____ Waiver of Financial and Property Statements
- _____ Central Registry notification
- _____ Other (*specify*)

4. Service of the originating application upon the respondent was effected in (province or country) _____ on (date) _____ by:

_____ Personal service. See affidavit of personal service.

_____ Leaving a copy with the respondent's lawyer (*other than in a divorce proceeding*). See acceptance of service in writing on a copy of the petition.

_____ Substitutional service. See copy of order and affidavit of compliance attached to petition.

5. The respondent was noted for default of response on (date) _____

or

The respondent filed a response but the response was withdrawn (*or struck out*) on _____

or

The respondent has consented to this application by consent endorsed on the draft judgment *and/or* draft order.

(Delete paragraphs 4 and 5 where it is a joint originating application/application or where it is an application for judgment by respondent.)

6. The applicant's (*or* respondent's) affidavits required by rule 56A.24(4)(c) and rule 56A.44 (*or as the case may be*) accompany this application.

Exhibited to the affidavit(s) are the following documents:

_____ Agreement as to Child Support, *or*

_____ Income information _____ petitioner _____ respondent

_____ Separation or financial or custody agreement

_____ Previous court order(s)

_____ Undertaking that no appeal from judgment will be taken

_____ Other (*specify*)

7. The following documents also accompany this application:

_____ Affidavit of respondent admitting adultery, *or*

____ Certified transcript of the examination for discovery of
the respondent
____ Child Support Calculation
____ Draft judgment
____ Draft child support order
____ Draft certificate
____ Addressed envelopes 2 to respondent 2 to applicant
____ Other (*specify*)

8. The respondent's address is: _____

The address of the respondent's lawyer is: _____

DATED at _____, Newfoundland and Labrador, this
_____ day of _____, 2____.

Signature

Form 56A.24C

(rule 56A.24)

Affidavit of Applicant

I, _____, of _____, in the
_____ of _____, make Oath and
Say/Affirm as follows:

GENERAL

1. I am the applicant in this proceeding and I have personal knowledge of the matters and facts deposed to in this affidavit, except where stated to be on information learned from someone else and where that is stated, I believe the information to be true.

2. All of the facts and information contained in the originating application/application continue to remain true and accurate, except for the following: *(note here corrections or subsequent changes)*:

3. *(Where there is a support claim, and a Financial Statement of the Applicant is required)* All of the facts and information contained in my Financial Statement sworn/affirmed *(date of most recent statement)* _____, continue to remain true and accurate [except for the following: *(note here corrections or subsequent changes)*]

4. *(Where there is a property claim)* All of the facts and information contained in my Property Statement sworn/affirmed *(date of most recent statement)* _____, continue to remain true and accurate [except for the following: *(note here corrections or subsequent changes)*]

5. I have *(or the Respondent has)* been ordinarily resident in Newfoundland and Labrador since the _____ day of _____, ____ *[(include where it is a divorce proceeding)* which is a period of at least one year immediately preceding the date of issue of the originating application/application in this proceeding].

RECONCILIATION

6. The following efforts to reconcile have been made:

I resumed cohabitation with the respondent on or about the ____ day of _____, 2____, for the purpose of achieving a reconciliation, and continued cohabitation for that purpose until on or about the ____ day of _____, 2____, but a reconciliation was not achieved;

and/or

7. I do not wish to reconcile or to resume cohabitation with my spouse.

MARRIAGE BREAKDOWN

8. (Where no certificate of marriage or of registration of the marriage has been filed) It is impossible or impractical to obtain a certificate of marriage or of registration of the marriage. The particulars of the marriage are: (state sufficient particulars to prove the marriage)

9. There has been a breakdown of my marriage to the respondent by reason of the fact that:

(a) I separated from the respondent on or about the ____ day of _____, 2____, and have lived separate and apart from the respondent since that date, which is a period in excess of one year.

and/or

(b) The respondent has committed adultery as evidenced by his (or her) affidavit filed in this proceeding (*or* by the certified transcript of the examination for discovery of the respondent filed in this proceeding, or as the case may be). I separated from the respondent on or about the ____ day of _____, 2____, and I have lived separate and apart from the respondent since that date.

and/or

(c) Since the celebration of the marriage the respondent has treated me with physical and mental cruelty of such a kind as

to render our continued cohabitation intolerable, particulars of which are as follows:

(i)

(ii) etc.

I separated from the respondent on or about the ____ day of _____, 2____, and I have lived separate and apart from the respondent since that date.

COLLUSION, CONDONATION AND CONNIVANCE

10. I have truthfully set out the facts establishing the breakdown of my marriage and I have not entered into any agreement, understanding or arrangement to makeup or hide evidence or to deceive the court.

11. (Where adultery or cruelty is the basis of the marriage breakdown) I have not encouraged my spouse to act in the manner that I have outlined, nor to commit or continue the complained of acts. I am unable to forgive my spouse and resume cohabitation as a result of his/her acts or conduct toward me.

CHILDREN

12. There are no children of the respondent or myself who are in the custody or care of either of us.

or

The names, date of birth and place of residence of all children of the respondent and I who are in the custody or care of either of us are:

13. The children in respect of whom relief is claimed are:

and/or

I am claiming no relief in respect of the following children because

14. The present and proposed arrangements with respect to custody and access of any or all children are as follows:

(If this is a joint or shared parenting arrangement, specify the particulars of the residency of the children.)

15. An order giving me (or the respondent) custody (*or* joint custody) of the children is in the best interests of the children because:

16. An order giving the respondent (or me) access to the children is (or is not) in the best interests of the children because:

17. I seek support for the following children _____.
In the amount of \$_____ per month to commence _____.

18. The condition, means, needs and other circumstances of the children are as follows: (Include any special conditions of a child and any special needs as well as general requirements)

19. (In a divorce proceeding where there are children but no claim is made for child support) The arrangements that have been made for the support of any children are as follows:

My income information required by the *Federal Child Support Guidelines* is attached as exhibit "____", and the income information of the respondent required by the *Federal Child Support Guidelines* is attached as exhibit "_____".

SPOUSAL SUPPORT

20. I do not seek a support order for myself.

or

I seek support for myself in the sum of \$_____ per month.

21. My conditions, means, needs and other circumstances are as follows:

PROCEEDINGS AND AGREEMENTS

22. A previous court order with reference to (the marriage, cohabitation, custody, support, maintenance or division of property, as the case may be) was granted the _____ day of _____, 2____, in a proceeding under (state statute under which relief granted), a copy of which is attached as exhibit "_____".

and/or

23. No other legal proceedings have been instituted between myself and the respondent with reference to the marriage, cohabitation, custody, support, maintenance or division of property.

24. The dates of any written or oral separation or financial or custody agreements between myself and the respondent are:

The agreement pertains to:

- ☐ custody of the children
- ☐ access to the children
- ☐ child support
- ☐ spousal support
- ☐ parental support
- ☐ division of matrimonial property
- ☐ property claim by common law spouse
- ☐ other (specify)

A copy of the agreement(s) is attached as exhibit "____". (Attach where it is relevant to the relief claimed or where it pertains to any child in the custody or care of either the applicant or the respondent.)

or

There have been no written or oral separation or financial or custody agreements between myself and the respondent.

25. Copies of other orders or agreements relating to any children who are in the custody or care of either the respondent or I are attached as exhibit "____".

FINANCIAL INFORMATION

26. My occupation is:

My place of employment is:

My current annual income from all sources is \$_____.

Further particulars of my financial position are set out in my Financial Statement sworn/affirmed (date) _____. (Or, where a Financial Statement is not required of the applicant, set out any necessary details here.)

27. The Respondent's occupation is:

The Respondent's place of employment is:

The Respondent's current annual income from all sources is
\$ _____.

The basis of my information and belief as to the occupation, employment and annual income of the respondent is as follows (eg. The Financial Statement of the Respondent sworn/affirmed...; the Affidavit of the Respondent sworn/affirmed ...; or as the case may be.):

PROPERTY

28. The respondent and I divided our property following our separation. I am satisfied with the current division of property.

or

(Include only where seeking an order incorporating a settlement or agreement.) The respondent and I have settled, by consent, the division of our matrimonial property by way of Minutes of Settlement, filed with the court [or an Interspousal Contract and Separation Agreement, a copy of which is attached to this affidavit as exhibit "_____"]. I am seeking an order incorporating this division of property.

JUDGMENT

29. The present address of the respondent where service of the judgment may be made is:

and

29A. The basis of my information and belief as to the address of the respondent is as follows:

or

29. Service of the judgment on the respondent should be dispensed with for the following reasons:

30. (*Where an earlier date of effect of divorce judgment is sought*) The divorce judgment should take effect on the day judgment is rendered (*or* on the _____ day following the day judgment is rendered) by reason of the following special circumstances:

and

30A. An undertaking by myself and the respondent that no appeal from the judgment will be taken is attached as exhibit "_____".

31. I claim the following relief: (*Set out in list form the relief being requested.*)

32. Costs are claim in the amount of \$_____ for the following reasons:

SWORN/AFFIRMED, *etc.*

This affidavit is filed on behalf of the applicant.

Form 56A.27A

(rule 56A.27)

Financial Statement of [name]

I, [name] _____ Address _____
City _____ Province _____ Postal Code _____
Phone _____ Fax _____

swear (*or* affirm) that:

1. The information set out in this financial statement is true and complete to the best of my knowledge and belief, and sets out my financial situation as of: (*give date for which information is accurate*).

2. ☐ I do not anticipate any significant changes in the information set out in this financial statement.

or

☐ I anticipate the following significant changes in the information set out in this financial statement:

3. Attached are the following:

- ☐ Part 1: Income
- ☐ Part 2: Annual Expenses
- ☐ Part 3: Special or Extraordinary Expenses
- ☐ Part 4: Undue hardship
- ☐ Part 5: Income of Other Persons in Household
- ☐ Part 6: Property

SWORN OR AFFIRMED BEFORE ME at _____,
Newfoundland and Labrador on _____.

A commissioner, etc.

Signature

DECLARATION:

This declaration is to be filled out if your income is tax exempt because of your Indian status.

Financial Statement Instructions

Please read the instructions (in italics) carefully. You may not have to complete the financial statement at all or, you may only have to complete parts of it. The instructions tell you what parts of the form you must complete, according to the type of claim involved. When you complete those parts of the form, leave blank any lines that do not apply to you. If there is more than one claim in the proceeding (for example, a claim for spousal support and a claim for child support), you must complete each of the Parts of the financial statement that apply to you. If you are required to complete a Part in relation to one claim, you need not redo that Part if the same Part is required in relation to a different claim.

IMPORTANT NOTE: If during the course of the proceeding you find out that the information in this financial statement is incorrect or incomplete, or there is a material change in your circumstances that affects the information in this financial statement, you must serve on every other party to this case and file with the court the correct or complete information, or a new financial statement with updated information, together with any documents that back up that information.

PART 1 INCOME

Complete this Part if

- you are making a claim for child support, or are seeking to vary an order for child support, and the amount claimed differs from the table amount in the *Federal Child Support Guidelines* (a claim for add-ons, a child is 18 years of age or more, a claim for undue hardship, a case of split or shared custody, the payor's annual income is over \$150,000, the payor stands in the place of the parent),
- there is a claim against you for child support, or
- there is a claim, either by you or against you, for spousal or parental support or you or another party are seeking to vary an order for spousal or parental support.

1. I am

- ☐ employed as [describe occupation] _____
 By [name and address of employer] _____
 and I am paid:
☐ every 2 weeks
☐ twice a month
☐ monthly
☐ other (specify) _____
☐ self-employed, carrying on business [or a professional practice] under the name of [name and address of business or practice] _____ or a farmer (or as may be applicable)
☐ unemployed since [date when last employed] _____
☐ a shareholder, director or officer of a corporation, in which I have an interest [or a controlling interest]: [name and address of corporation] _____
☐ a beneficiary under a trust: [identify trust settlement agreement] _____

2. The total income declared on my last income tax return in [year] _____ was \$ _____ and my net taxable income was \$ _____.

3. I have attached to or served with this form: [check applicable boxes]

- ☐ a copy of every personal income tax return filed by me for each of the 3 most recent taxation years, together with a copy of all material filed with the returns and a copy of every notice of assessment or re-assessment issued to me for each of those years. (*Identify any required copies already in the court file, as those copies do not need to be attached to this form.*)
☐ a statement from the Canada Customs and Revenue Agency that I have not filed any income tax returns for the past 3 years.
☐ a declaration that I am not required to file an income tax return because of the *Indian Act* (Canada). [Use the declaration at the bottom of the first page.]
☐ a Canada Customs and Revenue Agency Consent in Form _____ signed by me, for the disclosure of my tax returns and assessments for the past 3 years.

IMPORTANT NOTE: If you are a party to a claim for child support and you are required to fill out Part 1 of this form, the clerk of the court

will not allow you to file this financial statement unless you have checked one of the boxes in paragraph 3 above and have attached the required document(s).

Annual Income

Include all income and other money received from all sources for the 12 month period ending on the date of this statement whether taxable or not. Show gross annual amounts here (to get an annual figure, multiply any weekly amount by 52, or any monthly amount by 12). Give current actual amount where known. Give your best estimate where you cannot find out the actual amount.

If your most recent federal income tax return (attached to this statement) sets out what you expect your income to be for this year, simply record those amounts here. Otherwise, record what you expect your income for this year to be from each source of income that applies to you. This will be necessary if your salary has increased, you have become unemployed, you have bought or sold rental properties, any source of your income is not taxable, etc.

1. Employment income: wages, salaries, commissions, bonuses and overtime [*before deductions*] + \$ _____
2. Commissions [If already included on line 1: indicate amount, but do not add in] + \$ _____
3. Other employment income [Include tips, foreign employment income, net research grants, etc.] + \$ _____
4. Pension income [Include Old Age Security, CCP, disability, superannuation and other pensions] + \$ _____
5. Employment insurance benefits [before deductions] + \$ _____
6. Taxable amount of dividends from taxable Canadian corporations + \$ _____
7. Interest and other investment income + \$ _____
8. Partnership income: limited or non-active partners only Net + \$ _____

9.	Rental income	Gross \$ _____	Net	+	\$ _____
10.	Taxable capital gains			+	\$ _____
11.	Child support received				
	Total amount \$ _____	Taxable amount		+	\$ _____
12.	Spousal support: From this relationship \$ _____;				
	From another relationship \$ _____			+	\$ _____
13.	Registered retirement savings plan income			+	\$ _____
14.	Self employment income:			+	\$ _____
	a. Business income	Gross \$ _____	Net	+	\$ _____
	b. Professional income	Gross \$ _____	Net	+	\$ _____
	c. Commission income	Gross \$ _____	Net	+	\$ _____
	d. Farming income	Gross \$ _____	Net	+	\$ _____
15.	Workers' compensation benefits			+	\$ _____
16.	Total social assistance payments			+	\$ _____
17.	Net federal supplements			+	\$ _____
18.	Other income [Include any taxable income that is not already included above, such as scholarships, bursaries, study grants, certain lump sum payments or death benefits, severance pay, etc. Specify]			+	\$ _____
	Total annual income: A			=	\$ _____

Benefits

Monetary benefits: Income that is exempt from federal or provincial tax: List all allowances and amounts received from all sources, that are not taxable: such as, amounts exempt because of status under Indian Act (Canada); band assistance payments; exempt portion of otherwise taxable amounts; certain disability benefits; etc. Specify.

	\$
	\$
	\$

Non-monetary benefits: List all non-monetary benefits from all sources, that are not included in total income (line A). Include such items as use of a company car, or board and room provided for you, and other expenses paid on your behalf. Give your best estimate of the value of the benefit where you cannot find out the actual value.

_____	\$ _____
_____	\$ _____
_____	\$ _____

Medical or dental insurance coverage: Is medical or dental insurance coverage for your children available to you through your employer or otherwise at a reasonable rate: ☐ Yes ☐ No

Do you have medical or dental insurance coverage for your children: ☐ Yes ☐ No

Adjustments to Annual Income

Give the current actual amount if you know it or may find it out. If you can't find out, give your best estimate.

- Refer to Schedule III of the *Federal Child Support Guidelines*. Section numbers included below are references to Schedule III of the *Federal Child Support Guidelines*.
- *If necessary, attach an extra sheet to show calculations.*

Replacements in income:

(Where applicable) Recalculate the annual income shown as amount A on page 3, after making the following replacements:

- Replace taxable amount of dividends from Canadian corporations (line 6) with the actual amount of dividends: \$_____ (See section 5)
- Replace taxable capital gains (line 10) with the actual amount of capital gains realized in excess of the actual capital losses: Gains \$_____ - losses \$_____ = excess \$_____ (See section 6)

Recalculated annual income: $A^1 = \$$ _____

Deductions from income:

1. Union, professional association or like dues (if you are an employee): section 1 + \$_____
2. Other employment expenses: section 1 (Specify) + \$_____
3. Taxable amount of child support I receive: section 2 + \$_____
4. Spousal support I receive from the other party: subsection 3(1) + \$_____

5. Social assistance I receive for other members of my household: section 4 + \$ _____
 6. Actual amount of business investment losses suffered during the year: section 7 + \$ _____
 7. Carrying charges and interest expenses paid by me and deductible under the *Income Tax Act* (Canada): section 8 + \$ _____
 8. Prior period earnings included in self-employment income, net of reserves: section 10 + \$ _____
 9. Portion of partnership or sole proprietorship income properly required for capitalization: section 12 + \$ _____
- Total deductions from income: B = \$ _____

Additions to income:

10. Payments to non-arm's length persons: section 9 + \$ _____
 11. Allowable capital cost allowance with respect to real property: section 11 + \$ _____
 12. Value of exercised employee stock options in Canadian-controlled private corporations: section 13 + \$ _____
- Total additions to income: C = \$ _____

Annual income or Recalculated annual income:

(A) or (A ¹):	\$ _____
<i>subtract</i> Total deductions from income (B)	- \$ _____
<i>add</i> Total additions to income (C)	+ \$ _____
Adjusted Annual Income: D	= \$ _____

Child Support:

The Adjusted Annual Income (D) is to be used to calculate child support in accordance with the applicable child support table set out in the *Federal Child Support Guidelines*.

The Annual Income to be used where special or extraordinary expenses are claimed:

Annual income D	\$ _____
<i>add</i> Spousal support received from the other party (if any)	+ \$ _____
<i>subtract</i> Spousal support paid to the other party (if any)	- \$ _____
Adjusted Annual Income (Special): E	= \$ _____

Spousal or Parental Support:

The Annual Income to be used where spousal or parental support is claimed:

Annual income D	\$ _____
<i>add</i> Total child support I receive	+ \$ _____
<i>add</i> Social assistance I receive for other household members	+ \$ _____
<i>add</i> Child tax benefits or credits	+ \$ _____
<i>subtract</i> GST/HST credit	- \$ _____
Adjusted Annual Income (Spousal): F	= \$ _____

PART 2
ANNUAL EXPENSES

Do not complete this Part if the only support claimed is child support n the table amount set out in the *Federal Child Support Guidelines* and all children for whom support is claimed are under the age of 18.

Complete this Part in all other claims for child support or a change in child support, where the amount claimed differs from the table amount in the guidelines (a claim for add-ons for special or extraordinary expenses, a child is 18 years of age or more, a claim for undue hardship, a case of split or shared custody, a case where the payor's annual income is over \$150,000, a case where the payor stands in the place of the child's natural parent).

Complete this Part if there is a claim, either by you or against you, for spousal or parental support or a change in that support.

You must set out your total living expenses. If you cannot find out the actual amount, give your best estimate.

Source Deductions

- | | |
|--|----------|
| 1. Canada Pension Plan Contributions | \$ _____ |
| 2. Employment Insurance premiums | \$ _____ |
| 3. Employee pension contributions to a registered pension plan | \$ _____ |
| 4. Medical and dental insurance premiums (<i>deducted at source</i>) | \$ _____ |
| 5. Income tax | \$ _____ |

Housing

- | | |
|---|----------|
| 6. Rent or mortgage | \$ _____ |
| 7. Property taxes | \$ _____ |
| 8. Homeowner's/Tenant's insurance | \$ _____ |
| 9. Condominium fees | \$ _____ |
| 10. Water, sewer and garbage | \$ _____ |
| 11. House repairs, maintenance, yard care | \$ _____ |
| 12. Heat | \$ _____ |
| 13. Electricity | \$ _____ |
| 14. Telephone | \$ _____ |
| 15. Other (<i>Specify</i>) | \$ _____ |

Household expenses

- | | |
|----------|----------|
| 16. Food | \$ _____ |
|----------|----------|

- 17. Meals outside the home \$ _____
- 18. General household supplies \$ _____
- 19. Hair care, toiletries and sundries \$ _____
- 20. Dry cleaning and laundry \$ _____
- 21. Furnishings and equipment \$ _____
- 22. Other (*Specify*) \$ _____

Transportation

- 23. Public transit, taxis \$ _____
- 24. Car insurance, registration and licence \$ _____
- 25. Gas and oil \$ _____
- 26. Parking \$ _____
- 27. Car repairs and maintenance \$ _____
- 28. Other (*Specify*) \$ _____

Health

- 29. Medical and dental insurance premiums (*Not deducted at source*) \$ _____
- 30. Health care (Physiotherapy, etc.) \$ _____
- 31. Drugs, prescriptions \$ _____
- 32. Dental care (including orthodontist) \$ _____
- 33. Optical care (eyeglasses, contact lenses) \$ _____
- 34. Other (*Specify*) \$ _____

*(Amounts in 30 - 34 net of coverage)***Personal**

- 35. Clothing, footwear \$ _____
- 36. Education expenses (self)(*Specify*) \$ _____
- 37. Other (*Specify*) \$ _____

Children

- 38. Clothing, footwear \$ _____
- 39. Children's allowance, gifts \$ _____
- 40. School fees, books and supplies \$ _____
- 41. School activities (field trips, etc.) \$ _____
- 42. Activities, lessons and supplies (music lessons, clubs, sports, bicycles) \$ _____
- 43. Child care, babysitting \$ _____
- 44. Other (*Specify*) \$ _____

Savings for the future

- 45. RRSP \$ _____
- 46. RESP \$ _____
- 47. Other (*Specify*) \$ _____

Support payments*(Specify for whom, whether tax deductible, whether voluntary or under order)*

- 48. Support being paid in this case \$ _____

49.	Support being paid in any other case	\$ _____
	Debt payments (other than mortgage)	
50.	(Specify)	\$ _____
	Other	
51.	Life or term insurance premiums	\$ _____
52.	Banking, legal, accounting	\$ _____
53.	Church, charitable donations	\$ _____
54.	Entertainment and recreation	\$ _____
55.	Vacation	\$ _____
56.	Alcohol/tobacco	\$ _____
57.	Other (Specify)	\$ _____
	Total annual expenses: G	= \$ _____
	Adjusted annual income (D, E or F)	\$ _____
	subtract Total annual expenses (G)	- \$ _____
	Annual Surplus/Deficit	= \$ _____

PART 3
SPECIAL OR EXTRAORDINARY EXPENSES

- Complete this Part only if you claim special or extraordinary expenses as part of a child support claim. Refer to section 7 of the Federal Child Support Guidelines.

I am claiming an amount to cover special or extraordinary expenses for one or more of the following reasons: *(Indicate which of the following you are claiming.)*

- ☐ child care expenses incurred as a result of my employment, illness, disability, education or training for employment
- ☐ that portion of the medical and dental insurance premiums attributable to child;
- ☐ health related expenses that exceed insurance reimbursement by at least \$100 annually per illness or event, including orthodontic treatment, professional counselling provided by a psychologist, social worker, psychiatrist or any other person, physiotherapy, occupational therapy, speech therapy and prescription drugs, hearing aids, glasses and contact lenses;
- ☐ extraordinary expenses for primary or secondary school or for any education programs that meet the child's particular needs;
- ☐ expenses for post-secondary education;
- ☐ extraordinary expenses for extracurricular activities.

- State the child's name that each expense relates to, the details of each type of expense you are claiming, and the total annual amount of each expense.

- If the child contributes to payment of the expense, please indicate that contribution and its amount.

- If you are claiming for a health related expense, please indicate the amount of insurance reimbursement.

Child's Name	Details of Expense	Total Amount	Contribution/ Reimbursement

- ☐ Receipts or other documentation which shows the amount of the expenses I am claiming for each child are attached to this financial statement.

or

- ☐ I cannot obtain receipts or other documentation to show the amount of the expense I am claiming because: *(Please explain why)* _____

- ☐ I am eligible to claim or I receive the following subsidies, benefits or income tax deductions or credits relating to the above expenses: *(provide details)* _____

PART 4
UNDUE HARDSHIP

- *Complete this Part only if you claim a different amount of child support on the basis of undue hardship.*

- *Refer to section 10 of the Federal Child Support Guidelines. (Indicate which of the following you are claiming.)*

- ☐ Responsibility for unusually high level of debts reasonably incurred to support the family before the separation or to earn a living:

Owed to	Purpose	Date incurred	Terms of debt	Annual amount

- ☐ Unusually high expenses for exercising access to a child:

Details of expense	Annual amount

- ☐ Legal duty under a judgment, order or written separation agreement to support another person:
- ☐ Legal duty to support a child, other than a child for whom support is claimed in this application, who is under the age of 18, or at or above the age of 18 but unable to support himself or herself because of illness, disability or other cause:
- ☐ Legal duty to support a person who is unable to support himself or herself because of illness or disability:

- *attach a copy of any judgment, order or written agreement under which the legal duty arises.*

Name of person	Relationship	Nature of duty	Annual amount

☐ Other undue hardship circumstances:

Details	Annual amount

PART 5
INCOME OF OTHER PERSONS IN HOUSEHOLD

- Complete this Part if either party is making a claim for a different amount of child support on the basis of undue hardship

The following are the names, occupations or sources of income, annual incomes and amount of federal and provincial taxes payable thereon, of

- (a) any person who has a legal duty to support me or whom I have a legal duty to support;
- (b) any person who shares living expenses with me or from whom I otherwise receive an economic benefit as a result of living with that person; and
- (c) any child whom I or the person described in paragraph (a) or (b) has a legal duty to support.

Other person's name	Occupation or source of income	Annual income*	Taxes payable

* Where the information on which to base the income determination is not provided, the court may impute income in the amount it considers appropriate.

PART 6
PROPERTY STATEMENT OF [name]

I, [name] _____ Address _____
City _____ Province _____ Postal Code _____
Phone _____ Fax _____

swear (*or* affirm) that:

1. The information set out in this property statement is true and complete to the bests of my knowledge and belief, and sets out all matrimonial property as of [*give date for which information is accurate*]

2. ☐ I do not anticipate any significant changes in the information set out in this property statement.

or

☐ I anticipate the following significant changes in the information set out in this property statement:

SWORN OR AFFIRMED BEFORE ME at _____,
Newfoundland and Labrador on _____.

A commissioner, etc.

Signature

I. Assets in and out of Newfoundland and Labrador

The date of application is (give date) _____

1. Real Property					
<p>Include any interest in land owned on the date of application or as of the date of this statement, including leasehold interests and mortgages. Show estimated market value of the interest, but do not deduct encumbrances or costs of disposition; these encumbrances and costs should be shown under Part II, "Debts and Liabilities".</p> <p>For example, if you were including the matrimonial home, you may insert both spouses names in the first column and "Joint tenancy" in the second column; in the next column, you may write "Matrimonial home, 123 Main Street", in the third column, "\$100,000", which in the case of such a joint tenancy would also be the value to be placed in the final column. The amount left to pay on the mortgage would be shown under Part II: "Debts and Liabilities".</p>					
Owner	Nature and Type of Ownership	Nature of property, and address	Estimated Total Value	Estimated Market Value of the Interest	
				On date of application	Current date
1. Total Value of Real Property				\$	

2. General Household Goods and Vehicles				
Show estimated market value, not the cost of replacement for these items owned on date of application or as of the date of this statement. Do not deduct encumbrances or costs of disposition; these encumbrances and costs should be shown under Part II, "Debts and Liabilities".				
Item	Description	In the Possession of	Estimated Market Value	
			On Date of Application	Current Date
Household goods, appliances and furniture				
Cars, boats, trailers, motorhomes, snowmobiles, other vehicles	(describe by make, model, year)			
Jewellery, works of art, collections, electronics, tools, sports and hobby equipment				
Other special items				
2. Total Value of General Household Goods and Vehicles			\$	

3. Bank Accounts And Savings					
Show the items owned on the date of application by category. Include cash, savings and chequing accounts in financial institutions, term deposits, guaranteed investment certificates, and any other savings.					
Owner	Category	Institution	Account Number	Amount	
				On Date of Application	Current Date
3. Total Value of Bank Accounts and Savings				\$	

☐ The location of any safety deposit box[es] is [*name and address of institution(s)*]

4. Pensions And Retirement Savings Plans					
Show the items owned by category. Indicate the name and address of the institution where a Registered Retirement Savings Plan is held; include name and address of pension plan and pension details.					
Owner	Category	Institution	Account Number	Amount	
				On Date of Application	Current Date
4. Total Value of Pensions and Retirement Savings Plans				\$	

5. Securities					
Show the items owned by category. Include shares, bonds, mutual funds, warrants, options, debentures, notes and any other securities. Give your best estimate of their market value if the items were to be sold on the open market.					
Owner	Category	Number	Description	Estimated Market Value	
				On Date of Application	Current Date
5. Total Value of Securities				\$	

6. Life and Disability Insurance						
List all whole life, term life, disability or other similar insurance policies. Set out cash surrender value, if any.						
Company and Policy No.	Kind of Policy	Owner	Beneficiary	Face Amount	Cash Surrender Value	
					On Date of Application	Current Date
6. Total Cash Surrender Value of Insurance Policies					\$	

7. Business Interests				
List any interest either spouse holds, directly or indirectly, in any incorporated business, including partnerships, trusts and joint ventures. Give your best estimate of market value if business were to be sold on an open market. An interest in an incorporated business may be shown here or under item 5: Securities.				
Interest Held by	Name of Firm or Company	Interest	Estimated Market Value of the Interest	
			On Date of Application	Current Date
7. Total Value of Business Interests			\$	

8. Accounts Receivable			
Give details of all money owed to either spouse, whether because of business or from personal dealings; including amounts loaned to family members, any court judgments in a spouse's favour, any estate money owed.			
Owed to	Details	Amount Owed	
		On Date of Application	Current Date
8. Total of Accounts Receivable		\$	

9. Other Property				
Show other property or assets owned by categories. Include property of any kind not listed in items 1 to 8 (for example, patents or copyright claims). Give your best estimate of market value.				
Owner	Category	Details	Estimated Market Value of the Interest	
			On Date of Application	Current Date
9. Total Value of Other Property			\$	
I. Value of all Assets (<i>Add Totals 1 To 9 Together</i>) I. + \$				

II. Debts And Other Liabilities

Show all debts and other liabilities, whether arising from personal or business dealings. List by category, such as mortgages, charges, loans, liens, notes, credit cards, accounts payable, tax arrears and costs of disposition. Indicate if any other person may be responsible for this debt with a spouse, and give their name. Include contingent liabilities such as guarantees given by either spouse, and indicate that they are contingent. Indicate if any debt payments are in arrears.

Debtor	Category	Details (Interest Rate, Term or Number of Payments Remaining, any Property Affected)	Amount Owed	
			On Date of Application	Current Date
II. Total of Debts and Other Liabilities			\$	

III. Property, Debts And Other Liabilities On Date Of Marriage

Show by category the value of each spouse's property and debts and other liabilities calculated as of the date of marriage. Where possible, include the price paid for asset, year purchased, and value added of repairs and improvements during marriage, as well as value on date of marriage.

Category and Details	Value on Date of Marriage			
	Assets		Liabilities	
	Petitioner	Respondent	Petitioner	Respondent
Real Property (Exclude Matrimonial Home Owned on Date of Marriage, Unless Sold Before Date of Separation)				
Vehicles (Exclude Family Use Vehicles)				
Bank Accounts and Savings				
Pensions and Retirement Savings Plans				
Securities				
Life and Disability Insurance				
Business Interests				
Accounts Receivable				
Other Property (Specify)				
Debts and Other Liabilities (Specify)				
TOTALS	\$	\$	\$	\$
III. Net Value of Property Owned on Date of Marriage	\$	\$		

IV. Property Exempt From Distribution

Show the value by category of property reported in this statement which was owned on the date of application that you claim is exempt from distribution under paragraph 18(1)(c) of the *Family Law Act*, other than that property shown in Table III above.

Category	Item and Reasons for Exemption	Value an Date of Application
IV. Total Value of Exempt Property		\$

V. Property Disposed Of Within 2 Years

List by category all property disposed of within 2 years before the beginning of this proceeding. Indicate the date of disposition of each item.

Category	Details	Value
V. Total Value of Disposed Property		\$

VI. Calculation Of Net Family Property

	Deductions	Balance
Value of all assets owned on date of application (item I)	\$	\$
Subtract Value of all debts and liabilities (item II)	\$	\$
Subtract Net value of property owned on date of marriage (item III)	\$	\$
Subtract Value of exempt property (item IV)	\$	\$
VI. Net Family Property		\$

VII. Schedules

Where applicable, attach a statement as to the income tax consequences of an ordered disposition or realization of particular assets.

- Where a pre-marital asset claimed exempt is no longer held, but has been traded for another asset, attach a statement tracing the asset to the asset currently held. Attach copies of transaction documents

IMPORTANT NOTE: If during the course of the proceeding you find out that the information in this property statement is incorrect or incomplete, or there is a material change in the information provided, you must serve on every other party to this claim and file with the court the correct information, or a new property statement containing the correct information, together with any documents that back up that information.

Form 56A.27B

(rule 56A.27)

Notice to File Income Information

TO: The Respondent (*or* Applicant), (name) _____

You are required to provide to the Applicant (*or* the Respondent) and file with the Court within 30 days (*or* 60 days, *if other party lives outside Canada or the United States*) of service of this Notice: [*check applicable boxes*]

- ☐ [*if not previously provided to the other party or his or her lawyer*] a financial statement in Form 56A.27A of the *Rules of the Supreme Court, 1986*, including the required income tax documents;
- ☐ [*if you are an employee*] your most recent statement of earnings indicating the total earnings paid in the year to date, including overtime, or if such a statement is not provided by your employer, a letter from your employer setting out that information, including your rate of annual salary or remuneration;
- ☐ [*if you are self-employed*] for the 3 most recent taxation years:
 - (i) the financial statements of your business or professional practice, other than a partnership; and
 - (ii) a statement showing a breakdown of all salaries, wages, management fees or other payments or benefits paid to, or on behalf of, persons or corporations with whom you do not deal at arm's length;
- ☐ [*if you are a partner in a partnership*] confirmation of your income and draw from, and capital in, the partnership for its 3 most recent taxation years;
- ☐ [*if you control a corporation*] for the corporation's 3 most recent taxation years;

- (i) the financial statements of the corporation and its subsidiaries; and
 - (ii) a statement showing a breakdown of all salaries, wages, management fees or other payments or benefits paid to, or on behalf of, persons or corporations with whom the corporation and every related corporation does not deal at arm's length;
- ☐ [if you are a beneficiary under a trust] a copy of the trust settlement agreement and copies of the trust's 3 most recent financial statements.

DATED at _____, Newfoundland and Labrador, this
_____ day of _____, 2____.

Party or Party's Lawyer

The requested documents are to be:

- (a) served on the party seeking disclosure at the address for service set out at the end of this document; and
- (b) filed on the court file.

NOTE: If during the course of the proceeding you find out that the information you provided in a response to this notice is incorrect or incomplete, or there is a material change in the information provided, you must serve on every other party to this claim and file with the court the correct information, together with any documents substantiating it.

Notice

If you fail to provide the requested documents within the time given, the party seeking disclosure of your income information may apply on notice to the court for any of all of the following:

- (a) an Order drawing an adverse inference against you and imputing income to you in such amount as the court considers appropriate;
- (b) an Order for payment of support in such amount as the Court considers appropriate;
- (c) an Order that the documents requested be delivered within a specified time;
- (d) an Order directed to your employer or other person for disclosure of financial information;
- (e) an Order for costs, including costs up to an amount that fully compensates the party seeking disclosure for all costs incurred in the proceeding;
- (f) an Order granting the party seeking disclosure any other remedy requested.

or

Where the party seeking disclosure of income information wishes an immediate order in the event of non-compliance with this Notice to File Income Information, include a Notice of Motion in Form 47 for the desired order.

This document was delivered by (*firm name*) _____,
(*business address*) _____ and the address for service is: _____

Lawyer in charge of file: _____ Telephone: _____
or, where Applicant is not represented by a lawyer: This document was delivered by (Applicant) _____ of (business or residence address) _____, telephone (number) _____ and the address for service is: _____.

Form 56A.28A

(rule 56A.28)

Agreement as to Child Support

The parties agree as follows:

1. The income of the payor [*name*] _____ is \$ ____.
2. The payor currently resides in [province or, if resident outside of Canada, country] _____.
3. The income of the recipient [*name*] _____ is \$ ____.
4. The recipient currently resides in [province or, if resident outside of Canada, country] _____.

(Paragraphs 3 and 4 must be included where special or extraordinary expenses are to be shared or where the amount agreed to differs from the table amount set out in the *Federal Child Support Guidelines*.)

5. Child support is to be provided for [state names and dates of birth of children for whom child support is to be provided] and according to the applicable child support table set out in the *Federal Child Support Guidelines*, the amount of child support payable for that number of children (the "child support table amount") is \$ ____.

6. The payor will pay to the recipient, [*name*] _____, child support of \$ _____ per month for the children referred to in section 5.

7. [*If applicable*] The amount of child support agreed upon by this agreement differs from the child support table amount because : [*state reasons*]

8. [*If there are expenses under section 7 of the Federal Child Support Guidelines to be shared*] There are special or extraordinary expenses, being [*state type of expense*] _____ on behalf of [*name child*] _____ in the amount of \$ _____ per month, and the payor's share of this expense is \$ _____ per month.

DATED at _____, Newfoundland and Labrador, this
_____ day of _____, 2____.

Signature of applicant's lawyer

DATED at _____, Newfoundland and Labrador, this
_____ day of _____, 2____.

Signature of respondent's lawyer

or

DATED at _____, Newfoundland and Labrador, this
_____ day of _____, 2____.

Witness

Signature of applicant

DATED at _____, Newfoundland and Labrador, this
_____ day of _____, 2____.

Witness

Signature of respondent

This Form must be filed with the court along with the following documents:

- (a) a copy of the most recent personal income tax return filed by the payor along with a copy of the most recent income tax assessment or re-assessment, or an affidavit explaining why the documents are not available and providing evidence to satisfy the court that the amount of income of the payor and child support agreed to by the parties is reasonable,
- (b) a Child Support Information Sheet in Form 56A.58A and
- (c) where special or extraordinary expenses are to be shared or where the amount agreed to differs from the table amount set out in the *Federal Child Support Guidelines*, a copy of the most recent personal income tax return filed by the recipient along with a copy of the most recent income tax assessment or re-assessment, or an affidavit explaining why the documents are not available and providing evidence to satisfy the court of the amount of income of the recipient.

Form 56A.30A

(rule 56A.30)

Waiver of Financial and Property Statements

1. The parties have agreed on the relief to be granted in this proceeding.

2. (*Where there is a claim for spousal support*) The parties waive Financial Statements with respect to the claim for spousal support made in this proceeding.

3. (*Where there is a property claim*) The parties waive Property Statements with respect to property claims made in this proceeding.

DATED at _____, Newfoundland and Labrador, this
_____ day of _____, 2____.

Signature of applicant's lawyer
or applicant

DATED at _____, Newfoundland and Labrador, this
_____ day of _____, 2____.

Signature of respondent's lawyer
or respondent

Form 56A.35A

(rule 56A.35)

Notice to Disclose

TO: The Respondent (or Applicant) (name) _____

You are required to provide to the Applicant (or Respondent) and file with the Court within 30 days of service of this Notice:

- ☐ a Financial Statement in Form 56A.27A
- ☐ a Property Statement in Form 56A.27A, Part 6
- ☐ a copy of each of your 3 most recent pay remittance stubs;
- ☐ a copy of each of your 3 most recent employment insurance benefit statements;
- ☐ a copy of each of your 3 most recent worker's compensation benefit statements;
- ☐ a copy of your most recent pension plan statement;
- ☐ current documentary evidence confirming the amount of social assistance that you receive;
- ☐ a copy of the most recent assessment notice issued for real property you own;
- ☐ particulars or copies of every cheque issued to you during the last 6 weeks from any business or corporation in which you have an interest or to which you have rendered a service;
- ☐ copies of all bank account statements in your name for the past 3 months;
- ☐ copies of the most recent statement for all R.R.S.P's, term deposit certificates, guaranteed investment certificates, stock accounts and other investments in your name or in which you have an interest;
- ☐ copies of credit card statements for all credit cards in your name for the last 3 months;
- ☐ an authorization to the appropriate person or institution to obtain any of the above information that you have not provided; and
- ☐ (a copy of any other item being specifically requested)

(The party seeking disclosure may request one or more of the above depending on the nature of the proceeding.)

If you object to disclosing any of these documents, you must make an objection in writing setting out the reasons for your objection, and serve it with the information which you do not object to disclosing in response to this notice, within 15 days of service of this Notice.

DATED at _____, Newfoundland and Labrador, this
_____ day of _____, 2____.

Party or Party's Lawyer

The requested documents are to be: (a) served on the party seeking disclosure at the address for service set out at the end of this document; and (b) filed on the court file.

NOTE: If during the course of the proceeding you find out that the information you provided in a response to this notice is incorrect or incomplete, or there is a material change in the information provided, you must serve on every other party to this claim and file with the court the correct information, together with any documents substantiating it.

Notice

If you fail to provide the requested documents within the time given, the party seeking disclosure may apply on notice to the Court for any or all of the following:

- (a) an Order drawing an adverse inference against you and imputing income to you in such amount as the court considers appropriate;
- (b) an Order for payment of support in such amount as the Court considers appropriate;
- (c) an Order that the documents requested be delivered within a specified time;
- (d) an Order directed to your employer or other person for disclosure of financial information;
- (e) an Order for costs, including costs up to an amount that fully compensates the party seeking disclosure for all costs incurred in the proceeding;
- (f) an Order granting the party seeking disclosure any other remedy requested.

Form 56A.36A

(rule 56A.36)

Notice to Reply to Written Questions

TO: The Respondent (or Applicant) (name) _____

You are required to provide to the Applicant (or Respondent) and file with the Court within 30 days of service of this Notice, answers, in the form of an affidavit, to the following questions:

1.

2.

If you object to answering any of these questions, you must make an objection in writing setting out the reasons for your objection, and serve it with the affidavit answering those questions which you do not object to answering, within 15 days of service of this Notice.

DATED at _____, Newfoundland and Labrador, this
_____ day of _____, 2____.

Party or Party's Lawyer

The requested documents are to be:

- (a) served on the party seeking answers to these questions at the address for service set out at the end of this document and;
- (b) filed on the court file.

NOTE: If during the course of the proceeding you find out that the information you provided in a response to this notice is incorrect or incomplete, or there is a material change in the information provided,

you must serve on every other party to this claim and file with the court the correct information, together with any documents substantiating it.

Notice

If you fail to provide the requested answers within the time given, the party seeking answers to these questions may apply on notice to the Court for any or all of the following:

- (a) an Order drawing an adverse inference against you and imputing income to you in such amount as the court considers appropriate;
- (b) an Order for payment of support in such amount as the Court considers appropriate;
- (c) an Order that the answers requested be delivered within a specified time;
- (d) an Order directed to your employer or other person for disclosure of financial information;
- (e) an Order for costs, including costs up to an amount that fully compensates the party seeking answers to these questions for all costs incurred in the proceeding;
- (f) an Order granting the party seeking answers to these questions any other remedy requested.

This document was delivered (*etc.*)

Form 56A.44A

(rule 56A.44)

Affidavit of Respondent

I, _____, of _____, in the Province of _____, make Oath and Say/Affirm as follows:

1. I am the respondent in this proceeding and I have personal knowledge of the matters and facts deposed to in this affidavit.

2. My address is:

3. *(Where there is a support claim)* All of the facts and information contained in my Financial Statement sworn/affirmed (date) _____, continue to remain true and accurate, except for the following: *(notice here corrections or subsequent changes)*.

4. *(Where there is a property claim)* All of the facts and information contained in my Property Statement sworn/affirmed (date) _____, continue to remain true and accurate, except for the following: *(note here corrections or subsequent changes)*.

5. My occupation is: _____
My place of employment is: _____
My current annual income from all sources is \$ _____.

6. On or about the _____ day of _____, 2____, I had sexual intercourse with a *(female or male)* person at (address), in the City of _____, in the Province of _____, *(Include here further particulars respecting the other person and the relationship, for example, frequency of association, duration of relationship, a child has been born of the relationship, etc.)*

7. Since on or about the _____ day of _____, 2____, I have been living separate and apart from the applicant *(or other facts to indicate the adultery has not been condoned)*.

8. I do not wish to reconcile or resume cohabitation with my spouse.

9. I have truthfully set out the facts and I have not entered into any agreement, understanding or arrangement to make up or hide evidence or to deceive the court.

SWORN/AFFIRMED, *etc.*

This affidavit is filed on behalf of the respondent.

Form 56A.45A

(rule 56A.45)

Notice of Withdrawal of Joint Originating Application for Divorce

TO: (name of other party)

Take notice that _____ from the joint Originating Application for Divorce filed in this proceeding on _____, 20____.

DATED at _____, Newfoundland and Labrador, this
_____ day of _____, 2____.

Party or Party's Lawyer

Form 56A.46A

(rule 56A.46)

Judgment

No. _____ 2 _____

Before the Honourable _____, _____ (day and date of judgment)

This proceeding coming on before the court this day at _____, (in the presence of the lawyer(s) for _____, and the applicant, the respondent, or the co-applicants, as the case may be OR in the absence of the parties and their lawyers,) upon proof of service being established (except in the case of a joint application or an application for judgment by the respondent), and upon considering the pleadings and the evidence presented (where the divorce is effective earlier than 31 days after judgment add: and the Court being of the opinion that by reason of special circumstances the divorce should take effect earlier than the 31st day after this date, and the parties having agreed and undertaken that no appeal will be taken from this judgment):

1. It is ordered that _____ and _____ who were married on the _____ day of _____, _____, are divorced and, unless appealed, this judgment takes effect and the marriage is dissolved on the 31st day after the date of this judgment (or immediately or on the _____ day of _____, 2____).

2. And this Court further orders [Here include orders as to costs, or orders as to custody, access or spousal support under the *Divorce Act* (Canada) and/or other relief under provincial statutes, if such relief has not been set out in a separate order. An order for child support must be set out in a separate order.]

Registrar

Notice to Parties

The spouses are not free to remarry until this judgment takes effect, at which time any person may obtain a certificate of divorce from this Court. If an appeal is taken from this judgment, it may delay this judgment taking effect.

Party or Party's Lawyer

Form 56A.47A

(rule 56A.47)

Certificate of Divorce

No. _____ 2 _____

CANADA
PROVINCE OF NEWFOUNDLAND AND LABRADOR

In the Supreme Court of Newfoundland and Labrador
Judicial Centre Of

(Omit Style of Cause)

Certificate of Divorce

This is to certify that the marriage of _____ and _____
which was solemnized on the _____ day of _____, _____,
was dissolved by a judgment of this Court, which became effective on
the _____ day of _____, 2____.

DATED at _____, Newfoundland and Labrador, this
_____ day of _____, 2____.

Registrar

Form 56A.58A

(rule 56A.58)

Child Support Information Sheet

Court File No. _____

Name of Applicant _____ ☐ Payor ☐ Recipient
 Province of Residence _____ *Guideline income \$ _____

Name of Respondent _____ ☐ Payor ☐ Recipient
 Province of Residence _____ *Guideline income \$ _____

*Guideline income is the adjusted annual income shown as amount D on page 4 of the Financial Statement, or the amount suggested as appropriate for the court to determine under section 17 to 20 of the *Federal Child Support Guidelines*.

The number of children for whom the application is brought is: _____

The children are:

Child's name	Age	Birth date	Now living with <i>(name of person and relationship to child)</i> <i>Indicate if custody</i>	Support claimed Yes or No

There is a ☐ custody order, or an ☐ agreement. The date of the order or agreement is: _____

According to the order or agreement _____ is to have custody of the children.

- ☐ This is a new application for child support.
- ☐ This is an application for variation of child support, brought for the following reason:
 - ☐ Adjustment for income tax (from deductible to non-deductible amount)
 - ☐ Adjustment for actual amount of child support
 - ☐ Change of Income
 - ☐ Reduced number of children ☐ Change in custody or primary residence
 - ☐ Undue hardship
 - ☐ Other (*Specify*)

The child support being paid now is:

By Agreement: \$ _____ Date of Agreement: _____
 By Court Order: \$ _____ Date of Court Order: _____
 Per Child: \$ _____
 In Total: \$ _____

The amount of arrears of child support under the previous order or agreement is: \$ _____

Is there a claim for a change to spousal support? ☐ Yes ☐ No

Medical and dental insurance coverage for the children is available to (*name of party*) _____ through his or her employer or otherwise at a reasonable rate.

DATED at _____, Newfoundland and Labrador, this _____ day of _____, 2____.

 Party or Party's Lawyer

Form 56A.58B

(rule 56A.55)

Canada Customs and Revenue Agency Consent

TO: Canada Customs and Revenue Agency:

This form authorizes Canada Customs and Revenue Agency to release taxpayer information to the designated persons.

My name is (full legal name)

I live at (latest address shown on tax records)

My social insurance number is:

I ask and authorize you to send to:

1. (name, address and telephone number of requesting party or requesting party's lawyer)

2. (name, address and telephone number of other party or other party's lawyer)

a copy of:

(a) my income tax returns for the years _____, _____, _____; and

(b) any material that was filed with each of the returns for those same years; and

(c) any notice of assessment or re-assessment issued to me for those same years.

Signature of taxpayer

Date of signature

() _____

Telephone number

Note: Upon receipt of the information requested, the requesting party or the requesting party's lawyer shall file the information in court.

Form 56A.66A

(rule 56A.66)

Notice of Taking of Further Evidence

TO:

The provisional order made in this court on *(date)* has come before the *(name of court)* for confirmation. The matter has been sent back to this court for further evidence.

Take notice that the _____ day of _____, 2____, at _____ o'clock in the _____ noon at *(court house address)* is appointed as the time and place for the taking of further evidence on the following points:

If you desire to proceed with your application you or your lawyer must:

- (a) prepare an affidavit giving the evidence requested, and file it in the court at least 7 days before the date set for the hearing;
- (b) appear at the hearing at the time and place set out above and produce further evidence on the matter.

If you fail to file further evidence or to appear at the hearing, the provisional order may not be confirmed.

DATED at _____, Newfoundland and Labrador, this _____ day of _____, 2____.

Registrar

Note: A copy of the evidence before the other court and a copy of the court's reasons for seeking further evidence should be attached to this notice.

Form 56A.67A

(rule 56A.67)

Notice of Confirmation Hearing

TO:

A PROVISIONAL ORDER was made by (*name of court*) at (address in full) on the ____ day of _____, 2____, against you for the payment of \$_____ per _____ towards the support (or maintenance) of _____.

The provisional order has no legal effect until it is confirmed, but on confirmation by this court it has legal effect as an order of this court.

TAKE NOTICE that a hearing to consider confirmation of the provisional order will be held at (name and address of court) on the ____ day of _____, 2____, at ____ o'clock in the ____ noon, or so soon thereafter as the matter may be heard.

FURTHER TAKE NOTICE that in support will be read all material forwarded by the court that granted the provisional order, which material has been served on you together with this notice.

FURTHER TAKE NOTICE that, whether or not you wish to oppose this matter, you are required at least 7 days before the date set for the confirmation hearing to file with the court at the above address a completed financial statement. An uncompleted copy of Parts 1 to 5 of a Financial Statement in Form 56A.27A is served on you together with this notice.

FURTHER TAKE NOTICE that if you wish to oppose the confirmation of the provisional order, or dispute the amount of support payable, you may file an affidavit in response at least 7 days before the date set for the confirmation hearing, and you or your lawyer must appear at the hearing.

FURTHER TAKE NOTICE that if you do not come to the hearing, an order confirming the provisional order may be made in your absence and enforced against you.

DATED at _____, Newfoundland and Labrador, this
____ day of _____, 2____.

Registrar (Or the minister or designate)

Form 56A.67B

(rule 56A.67)

Notice of Continuation of Hearing

TO:

The proceeding before this court for confirmation of a provisional order made by the *(name of court that made the provisional order)* was adjourned in order to send the matter back to that court for further evidence. The further evidence has now been received by this court. A copy of the further evidence is attached to this notice.

TAKE NOTICE that the ____ day of _____, 2____, at _____ o'clock in the _____noon at *(court house address)* is appointed as the time and place for further consideration of the application for confirmation of the provisional order.

FURTHER TAKE NOTICE that if you wish to oppose the confirmation of the provisional order, or dispute the amount of support payable, you must file an affidavit in response at least 7 days before the date set for the continuation of the confirmation hearing, and you or your lawyer must appear at the hearing.

FURTHER TAKE NOTICE that if you do not come to the hearing, an order confirming the provisional order may be made in your absence and enforced against you.

DATED at _____, Newfoundland and Labrador, this
_____ day of _____, 2____.

Registrar (or the minister or designate)

Form 56A.67C

(rule 56A.67)

Order after Confirmation Hearing

Before _____ the ____ day of _____, 2____.

A provisional order was made by (*name of court*) at (*address in full*) for the payment of support (*or* maintenance) by the respondent to the applicant.

A notice was served on the respondent of a hearing to confirm the provisional order and the respondent has (*or* has not) appeared.

IT IS ORDERED that the provisional order be confirmed (*or* be confirmed with the following variation _____ for the following reasons *or* not be confirmed for the following reasons *or* be remitted to (*name of court*) for the purpose of taking further evidence on the following points _____).

AND IT IS ORDERED that the respondent pay the sum of \$_____ per month for the support of _____ commencing on the first day of _____, 2____, and payable on the first day of each and every month thereafter (pending the final disposition of this proceeding, *as the case may be*).

Payments under the order in the amount of \$_____ per month are to commence on the first day of _____, 2____, and to include on the first day of each and every month thereafter.

ISSUED at _____, in the Province of Newfoundland and Labrador, this _____ day of _____, 2____.

Registrar

(L.S.)

Note: In a proceeding under the *Divorce Act* (Canada), the order shall be in accordance with the *Federal Child Support Guidelines*.

RULE 56B
PROCEEDINGS IN THE UNIFIED FAMILY COURT

Application

56B.01. Unless otherwise provided in the *Unified Family Court Act* or in this rule, the *Rules of the Supreme Court, 1986*, including Rule 56A, shall apply, with the necessary changes to the practice and procedure in the Unified Family Court.

Title of proceedings

56B.02. All proceedings started in the province over which the Unified Family Court has jurisdiction shall be titled "In the Supreme Court of Newfoundland and Labrador, Unified Family Court".

Clerk of the Court

56B.03. (1) The Lieutenant-Governor in Council may appoint a clerk of the Court and the other support staff that are necessary for the Court.

(2) The clerk shall, before entering upon his or her duties, swear or affirm the following:

I, A.D., of, do solemnly swear or affirm that I will, according to the best of my ability, skill, learning and judgment, well and faithfully execute and fulfil the duties of the office without favour or affection, prejudice or partiality to any person. (Where an oath is taken, add "So help me God".)

(3) The clerk shall perform the duties of the registrar as described in the *Judicature Act* that are necessary for the proper administration of the Court.

(4) The clerk has power to administer oaths, affirmations, take affidavits, issue process, enforce maintenance orders and those other powers and authority that are necessary to carry out the duties assigned by the Court.

(5) A proceeding may be adjourned by the clerk with the consent of the parties to a date, time and place agreed upon by the parties and approved by the clerk and unless otherwise ordered, where an ad-

jourment is made, it shall not be necessary for the matter to be taken before the Court until the adjourned date provided that the clerk may refer a request for the adjournment to a judge if he or she is of the opinion that the request was not given in sufficient time for another case to be scheduled in its place or for another reason and a judge may

- (a) grant the adjournment subject to appropriate terms and conditions;
- (b) refuse the request;
- (c) assess costs; or
- (d) dismiss the application.

(6) The clerk may accept a written or verbal consent to an adjournment.

(7) The clerk may require a person in default under an order that requires the payment of money to appear before the Court or a person designated by a judge unless otherwise ordered by the Court or otherwise directed in writing on appearance before the clerk by the person for whose benefit the order was made.

(8) A summons for the enforcement of an order of the Court shall be issued by the clerk under the seal of the Court.

(9) A warrant of committal shall be issued by the clerk under the seal of the Court.

(10) The clerk shall maintain the Court calendar.

Peace bonds

56B.04. (1) Where a person wishes to lay an information against their spouse under section 810 of the *Criminal Code*(Canada) and the Unified Family Court has jurisdiction under the *Unified Family Court Act*, the person shall lay an information before a clerk or other court official who is a justice of the peace.

(2) The person receiving the information in (1)

- (a) may refer the person laying the information to a court counsellor where children are involved or where immediate intervention to prevent danger to the applicant or a child is required; and
 - (b) shall cause the person against whom the information has been laid to appear before him or her or another justice of the peace and shall hold a hearing to inquire into the allegations contained in the information.
- (3) The hearing shall be conducted as informally as the circumstances of the case permit.
- (4) Before proceeding to determine whether an order under section 810 of the *Criminal Code* (Canada) should be made, the justice of the peace may
- (a) discuss the matter informally with the parties and may, with their consent, refer the matter to a mediator for an attempted resolution; and
 - (b) give to the person summoned the opportunity to enter voluntarily into a bond or recognizance with reasonable conditions.
- (5) Where the person summoned agrees to and enters into a bond or recognizance, the justice of the peace shall adjourn the hearing.
- (6) If the matter is not resolved by agreement, a hearing shall be set before another justice of the peace.
- (7) Where a person is charged with breach of a recognizance under section 811 of the *Criminal Code* (Canada), the trial of that charge shall be held before a judge of the Court.

Protective intervention proceedings

56B.05. (1) Rules 56A, 56B and 56C do not apply to protective intervention proceedings or related matters under the *Child, Youth and Family Services Act* to the extent to which the procedure and time limits in that Act are inconsistent with those rules.

(2) A hearing held under the *Child, Youth and Family Services Act* shall be held

- (a) as informally as the circumstances of the case permit;
- (b) scheduled as expeditiously as the schedule of the Court allows and as fairness to the parties and affected persons requires; and
- (c) in private unless the judge hearing the matter determines that the proper administration of justice requires otherwise.

(3) An application for a protective intervention order and any other application under the *Child, Youth and Family Services Act* shall be started by presenting the original and one copy of an application to the Court.

(4) An application for another order relating to children in respect of whom a protective intervention order has already been sought or in respect of other children in the same family shall be given the same file number as the original application where the application is made in the same judicial centre.

**RULE 56C
FAMILY JUSTICE SERVICES PROJECTS**

Definition

56C.01. (1) In this rule, a "Family Justice Services project" is a program authorized by the government of the province operating in a judicial centre in the province offering education and information sessions, mediation for parties and counselling services to parties and their children, or any combination of these services, to a party in a family law proceeding that has been commenced in that judicial centre.

(2) Rule 56C will not apply to a Family Justice Services project except where the Chief Justice of the Trial Division approves the application of the rule to that project and location. Notice of such approval shall be given to the public and the profession in a timely fashion.

(3) The Family Justice Services projects operating in the judicial centres of Corner Brook, Grand Falls-Windsor and Gander are approved as projects under this rule.

Application

56C.02. Unless otherwise provided by this rule, the *Rules of the Supreme Court, 1986* including Rule 56A (Family Law), shall apply, with the necessary changes to practice and procedure in a judicial centre where a Family Justice Services project is operating.

Procedure where project operating

56C.03. (1) Where a family law proceeding is started in a judicial centre where a Family Justice Services project is operating and at least one of the parties or a child involved in the proceeding resides in the project area, the applicant shall file two additional copies of the application with the registrar at the time of issuance.

(2) The registrar shall forward a copy of the application issued to the Family Justice Services project staff and no case management conference as required by rule 56A.21 will be scheduled until the Family Justice Services project has concluded its involvement in the matter.

(3) The applicant shall serve the application on the respondent as provided by rule 56A.10 as soon as reasonably practicable following issuance of the application.

(4) After allowing a reasonable time for service of the application on the respondent, the Family Justice Services staff shall attempt to make contact with each of the parties and, where known, their counsel.

(5) Except where exempted by Family Justice Services project staff or a judge, the parties shall attend an education and information session. Each party will attend a different session unless both parties consent.

(6) Where a party fails to attend an education/information session as required by (5), the court may

- (a) refuse to set a date for a case management meeting;
- (b) order a party to attend an education and information session;
- (c) make an order as to costs against the party; and
- (d) make such other order as the court feels just and proper in the circumstances.

(7) Family Justice Services project staff may offer mediation services to the parties, taking into account whether

- (a) there has been a history of violence between the parties;
- (b) violence is alleged to be a precipitating cause of the breakdown in the parties' relationship; and
- (c) a social or financial power imbalance exists between the parties.

(8) Family Justice Services project staff may offer either party or their children counselling services.

Consent orders

56C.04. (1) Where Family Justice Services project staff are successful in assisting the parties to reach agreement on all or any issues raised by

the pleadings, counsel for the applicant or, if no counsel, Family Justice Services project staff shall prepare a draft consent order signed by the parties or their counsel and file same at the registry.

(2) Where a draft consent order is filed in accordance with (1), a judge may approve the draft consent order without the parties appearing.

(3) Where a draft consent order is filed under rule (1) and all issues raised in the pleadings are not resolved, or where Family Justice Services project staff are unsuccessful in assisting the parties to reach agreement on any issues raised by the pleadings and where notice of this is given to the registrar, a date for a case management meeting as referred to in rule 56A.21 shall be set by the registrar. The registrar shall notify the parties and their counsel, if any, by ordinary mail of the date set for the case management meeting.

Where application for divorce only

56C.05. Rules 56C.03 and 56C.04 do not apply where the application is for a divorce only.

When a matter is urgent

56C.06. (1) Where a judge is satisfied that an application should proceed without involvement of Family Justice Services project staff due to urgency or safety concerns or some other good and sufficient cause he or she may order that Rules 56C.03 and 56C.04 shall not apply.

(2) Where a judge makes an order under (1), a judge may subsequently order the matter to be referred to Family Justice Services project staff.

Provisional orders

56C.07. (1) Where the respondent named in an application for either spousal or child support is resident outside of the province and the applicant resides in the project area, the applicant shall proceed to serve the application on the respondent and the registrar shall forward the application to Family Justice Services project staff who shall attempt to assist the parties to reach agreement on any or all issues raised in the pleadings.

(2) Where the issues raised by the pleadings have been resolved, Family Justice Services project staff shall file a draft consent order along with a document signed by the respondent advising of his or her consent to attorning to the jurisdiction of the court.

(3) Where the documents referred to in rule 56C.07(2) are filed, a judge may approve a draft order without the parties appearing.

(4) Where a draft consent order is filed under rule 56C.07(2) and all issues raised in the pleadings are not resolved or where Family Justice Services project staff are unsuccessful in assisting the parties to reach agreement on any issues raised in the pleadings and where notice of this is given to the registrar, the application shall proceed to a provisional hearing as set out in the *Reciprocal Enforcement of Support Orders Act*.

Repeal

2. The following regulations are repealed:

- (a) the *Divorce Rules of the Supreme Court of Newfoundland and Labrador*, Newfoundland and Labrador Regulation 86/86;**
- (b) the *Divorce Rules of the Supreme Court of Newfoundland and Labrador*, Newfoundland and Labrador Regulation 90/86; and**
- (c) the *Rules of the Unified Family Court*, Consolidated Newfoundland and Labrador Regulation 1116/96.**

Commencement

3. These rules shall come into force on April 1, 2003.

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

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

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

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

Web site www.gov.nf.ca/queensprinter

Legislative History of the Judicature Act, 1791-1988

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