



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 81

ST. JOHN'S, FRIDAY, FEBRUARY 3, 2006

No. 5

URBAN AND RURAL PLANNING ACT

NOTICE OF REGISTRATION CITY OF CORNER BROOK MUNICIPAL PLAN AMENDMENT 2005-1 AND DEVELOPMENT REGULATIONS AMENDMENT 2005-1

Take notice that the City of Corner Brook Municipal Plan Amendment 2005-1 and Development Regulations Amendment 2005-1, adopted on the 20th day of July, 2005, and approved on the 17th day August, 2005, have been registered by the Minister of Municipal Affairs.

The purposed change is from Open Space to Community Service. The purpose of Municipal Plan Amendment 2005-1 is to change the land use designation of an area of land located at the end of University Avenue adjacent (north east) to the Sir Wilfred Grenfell College grounds/parking lot from Open Space to Community Service in order to permit development of a regional long term care facility.

The proposed change is from Open Space to Community Service. The purpose of Development Regulations Amendment 2005-1 is to change the land use zoning of an area of land located at the end of University Avenue adjacent (north east) to the Sir Wilfred Grenfell College grounds/parking lot from Open Space to Community

Service in order to permit development of a regional long term care facility.

The Corner Brook Municipal Plan Amendment 2005-1 and Development Regulations Amendment 2005-1 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 Corner Brook Municipal Plan Amendment 2005-1 and Development Regulations Amendment 2005-1 may do so at City Hall, Corner Brook during normal business hours.

CITY OF CORNER BROOK
Per: Tonya Brisson

PO# 22567

Feb 3

MINERAL ACT

NOTICE

Published in accordance with section 62 of CNLR 1143/96 under the *Mineral Act*, M-12, RSNL 1990 as amended.

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

Mineral License 007826M
Held by Lewis, Gary E.
Situate near Northwest Arm, Central Nfld
On map sheet 02E/11

A portion of license 010150M
Held by Quest Inc.
Situate near Duder Lake, Central Nfld
On map sheet 02E/07
more particularly described in an application on file at
Department of Natural Resources

Mineral License 009135M
Held by International Marketing
Solutions Ltd.
Situate near Exploits River, Central Nfld
On map sheet 02D/13

Mineral License 009139M
Held by Datan Resources Ltd.
Situate near Northwest Gander River,
Central Nfld
On map sheet 02D/05

A portion of license 010790M
Held by Cornerstone Resources Inc.
Situate near Charles Brook, Central Nfld
On map sheet 02E/06
more particularly described in an application on file at
Department of Natural Resources

Mineral License 009707M
Held by Reid, Patricia E.
Situate near Great Rattling Brook, Central Nfld
On map sheet 02D/12

Mineral License 009714M
Held by Greig, Charles J.
Situate near Kanairiktok River
On map sheet 13K/15

A portion of license 009803M
Held by Cornerstone Resources Inc.
Situate near Chapel Island, Central Nfld
On map sheet 02E/07 02E/10
more particularly described in an application on file at
Department of Natural Resources

A portion of license 009851M
Held by Quinlan, Eddie
Situate near Dog Bay, Central Nfld
On map sheet 02E/07
more particularly described in an application on file at
Department of Natural Resources

Mineral License 010334M
Held by Furlong, Gerard
Situate near Cottel Island, Eastern Nfld
On map sheet 02C/13 02C/14

Mineral License 010335M
Held by Crocker, Gordon C.
Situate near Gambo Pond, Central Nfld
On map sheet 02D/10

Mineral License 010336M
Held by Furlong, Gerard
Situate near Gull Pond, Burin Peninsula
On map sheet 01M/10

The lands covered by this notice except for the lands within Exempt Mineral Lands, the Exempt Mineral Lands being described in *Consolidated Newfoundland and Labrador Regulations* 1143/96 and *Newfoundland and Labrador Regulations* 71/98, 104/98, 97/2000, 36/2001 and 31/2004 and outlined on 1:50 000 scale maps maintained by the Department of Natural Resources, will be open for staking after the hour of 9:00 a.m. on the 32nd clear day after the date of this publication.

JIM HINCHEY, P.Geo
Manager - Mineral Rights

File # 774:4132, 4134, 4985, 4988, 5295, 5340, 5346,
5404, 5429, 5747, 5748, 5749

Feb 3

LANDS ACT

NOTICE OF INTENT

LANDS ACT, Chapter 36, S.N. 1991

Notice is hereby given that Robert Ryan of Port Saunders intends to apply to the Department of Environment and Conservation, two months from the publication of this Notice, to acquire title, pursuant to Section 7(2)(e) of the said Act, to that piece of Crown Land situated within fifteen (15) metres of the waters of Port Saunders Harbour, in the Electoral District of St. Barbs South for the purpose of shed and wharf and being more particularly described as follows:

*Bounded on the North by Municipal Road
for a distance of approximately 16 m;
Bounded on the East by Municipal Property
for a distance of approximately 32 m;
Bounded on the South by Harbour
for a distance of approximately 16 m;
Bounded on the West by Crown Land
for a distance of approximately 32 m;
and containing an area of
approximately 512 square metres.*

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

For further information on the proposed application, please contact Robert Ryan, Telephone (709) 861-3733.

Feb 3

QUIETING OF TITLES ACT

**2006 01T 0853
IN THE SUPREME COURT OF
NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION**

IN THE MATTER OF an application of Gail Malone of the City of St. John's in the Province of Newfoundland and Labrador, Administration Officer

AND

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

AND

IN THE MATTER OF ALL THAT piece or parcel of land situate and being at Devereaux's lane, Town of Logy Bay-Middle Cove-Outer Cove in the Province of Newfoundland and Labrador

Notice of Application under the *Quieting of Titles Act*, R.S.N.L. 1990, c.Q-3, as amended;

NOTICE is hereby given to all parties that Gail Malone of St. John's in the Province of Newfoundland and Labrador, has applied to the Supreme Court of Newfoundland and Labrador, Trial Division to have investigated the title to ALL THAT piece or parcel of land situate, lying and being at Devereaux's Lane, Town of Logy Bay-Middle Cove-Outer Cove in the Province of Newfoundland and Labrador moer particularly described in Schedule "A" hereto annexed, of which the said Gail Malone of St. John's in the Province of Newfoundland and Labrador claims to be the owner and she requests a Declaration that Gail Malone of St. John's in the Province of Newfoundland and Labrador is the absolute owner in fee simple in possession and the said Gail Malone of St. John's in the Province of Newfoundland and Labrador has been ordered to publish Notice of Application as required by the above named Act.

All persons having title adverse to the said title claim of Gail Malone of St. John's in the Province of Newfoundland and Labrador shall file in the Registry of the Supreme Court of Newfoundland and Labrador, Trial Division particulars of such adverse claim and serve the same together with an Affidavit verifying the same on the undersigned Solicitor for the Applicant on or before the 31st day of March, 2006 after which date no party having any claim shall be permitted to file the same or be heard except by special leave of the Court and subject to such conditions as the Court may deem just.

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

DATED at St. John's, Newfoundland and Labrador this 27th day of January 2006.

J. DAVID B. BAIRD, Q.C.
Solicitor for the Applicant

ADDRESS FOR SERVICE:

Suite 706 TD Place
140 Water Street
P. . Box 665
St. John's, NL
A1C 5L4

Feb 3

SCHEUDLE 'A'

**Description
Devereaux's Lane
Outer Cove**

All that piece or parcel of land situate and being on Devereaux's Lane, in Outer Cove, in the Province of Newfoundland and Labrador, Canada, abutted and bounded as follows, that is to say;

BEGINNING at a point the said point having M.T.M., Nad-83, Grid Co-ordinates of North 5 277 095.569 meters and East 328 563.474 meters,

THENCE running by land of Charles Power, south fifty degrees twenty-one minutes thirty-one seconds West, ninety-seven decimal seven seven six metres,

THENCE running by Devereaux's Lane and land of Paul Devereaux, south twenty-nine degrees fifty-four minutes thirty seconds East, one hundred and forty-five decimal six three three metres,

THENCE running by land of Paul Devereaux South twenty degrees fifty-two minutes thirty seconds East, fourteen decimal nine three five metres,

THENCE running by land of Paul Devereaux, South sixty-four degrees thirty-four minutes twenty-nine seconds West, one decimal nine eight zero metres,

THENCE running by land of Paul Devereaux, South twenty-four degrees eighteen minutes thirty seconds East, thirty-six decimal nine forty-two metres,

THENCE running by land of James and Patrick Caddigan, North forty-two degrees twenty-six minutes forty-six seconds East, one hundred decimal three six one metres,

THENCE running by land of Brian Kavanagh, North twenty-nine degrees fifty-four minutes fifty-seven seconds West, thirty decimal zero nine six metres,

THENCE running by land of Brian Kavanagh, North twenty-six degrees forty-three minutes thirty seconds West, forty-six decimal five zero zero metres,

THENCE running by land of Brian Kavanagh, North twenty-three degrees twelve minutes fifty-seven seconds West, forty-three decimal zero zero nine metres,

THENCE running by land of Brian Kavanagh, North twenty-eight degrees fifty-seven minutes twenty seconds West, sixty-three decimal eight seven zero metres, more or less to the point of beginning and containing in all an area

TRUSTEE ACT
ESTATE NOTICE

IN THE MATTER OF the Estate of Wilfred O. Barbour, late of Long Pond, Conception Bay South, in the Province of Newfoundland and Labrador, Retired Marine Supervisor, deceased.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Wilfred O. Barbour, late of Long Pond, Conception Bay South, in the Province of Newfoundland and Labrador, Retired Marine Supervisor, deceased, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned solicitor for the Executor of the Estate of the said deceased on or before February 15, 2006 after which date the Executor will proceed to distribute the Estate having regard only to the claims of which he then shall have notice.

DATED at City of St. John's, in the Province of Newfoundland and Labrador, this 23rd day of January, 2006.

IAN F. KELLY, Q.C.
Solicitor for the Executor

ADDRESS FOR SERVICE

P. O. Box 337
St. John's, NL
A1C 5J9

Feb 3

ESTATE NOTICE

IN THE MATTER OF the Estate of Ada Gale, late of the Community of Great Codroy, Province of Newfoundland and Labrador, Canada, Widow, Homemaker, Deceased.

All persons claiming to be creditors of or who have any claims or demands either as beneficiaries or next of kin (by blood, legal adoption or marriage) upon or affecting the Estate of Ada Gale, Widow, Homemaker, deceased, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned solicitors for the Administratrix of the estate of the said deceased on or before the 27th day of February, 2006 after which date the said Administratrix will proceed to distribute the said estate having regard only to the claims to which she shall then have had notice.

DATED at the Town of Channel-Port aux Basques, Province of Newfoundland and Labrador, this 26th day of January, 2006.

MARKS & PARSONS
Solicitors for the Administratrix
PER: Kelvin L. Parsons, Q.C.

ADDRESS FOR SERVICE

P. O. Box 640
3-9 Barhaven Drive
Channel-Port aux Basques, NL
A0M 1C0

Feb 3

ESTATE NOTICE

IN THE MATTER OF the Estate of George William Wilton, late of Kippens, in the Province of Newfoundland and Labrador, Retired Heavy Equipment Mechanic, Widower, Deceased.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of George Wilton, late of Kippens, Newfoundland and Labrador, deceased, are hereby requested to send the particulars of the same in writing, duly attested, to the undersigned Solicitor for the Executor of the Estate on or before the 6th day of March, 2006, after which date the said Executor will proceed to distribute the said Estate having regard only to the claims of which notice shall have been received.

DATED at Stephenville, Newfoundland and Labrador this 25th day of January, 2006.

MILLS, GALLANT & CHAFFEY
PER: Susan H. Gallant

ADDRESS FOR SERVICE

P. O. Box 447
87 Gallant Street
Stephenville, NL
A2N 3A3

Feb 3

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

ASHLEY CRYSTALLEE GOSSE

of P.O. Box 449, Bay Roberts, A0A 1G0, in the Province of Newfoundland and Labrador, as follows:

To change my name from

ASHLEY CRYSTALLEE GOSSE
to
ASHLEY CRYSTALLEE NOSEWORTHY

DATED this 16th day of January, 2006.

ASHLEY GOSSE
(Signature of Applicant)

Feb 3

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

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

BENITA ANN O'DRISCOLL

of 413 Veterans Dr., Cormack, A8A 2R7, in the Province of Newfoundland and Labrador, as follows:

To change my name from

BENITA ANN O'DRISCOLL
to
BENITA ANN PARKER

DATED this 14th day of December, 2005.

BENITA O'DRISCOLL
(Signature of Applicant)

Feb 3

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

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

CLAYTON EDWARD ALEXANDER

of P.O. Box 536, Stephenville Crossing, A0N 2C0, in the Electoral District of St. Geroges, in the Province of Newfoundland and Labrador, as follows:

To change my name from

CLAYTON EDWARD ALEXANDER
to
CLAYTON EDWARD KING

DATED this 16th day of January, 2006.

CLAYTON ALEXANDER
(Signature of Applicant)

Feb 3



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION
FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

Vol. 81

ST. JOHN'S, FRIDAY, FEBRUARY 3, 2006

No. 5

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 10/06
NLR 11/06
NLR 12/06
NLR 13/06
NLR 14/06
NLR 15/06



**NEWFOUNDLAND AND LABRADOR
REGULATION 10/06**

Timber Royalty Regulations (Amendment)
under the
Forestry Act
(O.C. 2006-014)

(Filed January 30, 2006)

Under the authority of section 35 of the *Forestry Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, January 26, 2006.

Robert C. Thompson
Clerk of the Executive Council

REGULATIONS

Analysis

1. Sch. R&S
2. Commencement

CNLR 962/96
as amended

1. The Schedule to the *Timber Royalty Regulations* is repealed and the following substituted:

Schedule

2005/2006 Royalty Rates for Timber

Sawlog Rates	Not Serviced	Serviced
All Species	\$2.28/m ³	\$4.56/m ³
Pulpwood Rates	Not Serviced	Serviced
All Species	\$2.28/m ³	\$4.56/m ³
Commercial Fuelwood Rates	Not Serviced	Serviced
Roundwood (as per pulpwood)	\$2.28/m ³	\$4.56/m ³
Whole Tree Chips	\$1.05/green tonne	\$1.40/green tonne
Christmas Trees (Commercial)	Not Serviced	Serviced
1-200 Trees	\$250.00	\$250.00
Additional Trees	\$1.00 per tree	\$1.00 per tree
Christmas Trees (Domestic)	Not Serviced	Serviced
No charge for a Christmas Tree for personal use.		
Other Harvested Species	Not Serviced	Serviced
<i>Taxus Canadensis</i> (Canadian Yew)	\$0.25/kg	\$0.25/kg

Reductions: Reduction in rates may be made for wood previously identified and delineated on maps as steep slope, low volume stands (less than 90 m³ /ha), and partition wood. The resulting reductions are not to exceed 20 percent in cumulative total. For dead timber, reductions shall not exceed 50 percent in cumulative total.

Class	Amount of Reductions	
	Not Serviced	Serviced
Steep Slopes		
(a) 30-40%	10%	10%
(b) 40+ %	20%	20%
Low Volume Stands		
(a) 90 - 60 m ³ /ha	10%	10%
(b) less than 60 m ³ /ha	20%	20%
Dead Timber		
(a) 26-75% dead	20%	20%
(b) 76-100% dead	50%	50%
Partition Wood		
Certified Partition Stand	20%	20%

Road Access: Non-serviced rates shall apply to areas which have been serviced by 2.0 or more kilometres of privately constructed road. In areas where 1.0 to 2.0 kilometres of private road have been provided, the applicable rates shall be those obtained by averaging the serviced and non-serviced rates.

Commencement

2. This regulation shall be considered to have come into force on April 1, 2005.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 11/06**

Timber Royalty Regulations (Amendment)
under the
Forestry Act
(O.C. 2006-014)

(Filed January 30, 2006)

Under the authority of section 35 of the *Forestry Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, January 26, 2006.

Robert C. Thompson
Clerk of the Executive Council

REGULATIONS

Analysis

- 1. Schedule R&S
- 2. Commencement

CNLR 962/96
as amended

1. The Schedule to the *Timber Royalty Regulations* is repealed and the following substituted:

Schedule

2006/2007 Royalty Rates for Timber

Sawlog Rates	Not Serviced	Serviced
All Species	\$2.78/m ³	\$5.56/m ³

Pulpwood Rates	Not Serviced	Serviced
All Species	\$2.78/m ³	\$5.56/m ³
Commercial Fuelwood Rates	Not Serviced	Serviced
Roundwood (as per pulpwood)	\$2.78/m ³	\$5.56/m ³
Whole Tree Chips	\$1.30/green tonne	\$1.70/green tonne
Christmas Trees (Commercial)	Not Serviced	Serviced
1-200 Trees	\$250.00	\$250.00
Additional Trees	\$1.00 per tree	\$1.00 per tree
Christmas Trees (Domestic)	Not Serviced	Serviced
No charge for a Christmas Tree for personal use.		
Other Harvested Species	Not Serviced	Serviced
<i>Taxus Canadensis</i> (Canadian Yew)	\$0.25/kg	\$0.25/kg

Reductions: Reduction in rates may be made for wood previously identified and delineated on maps as steep slope, low volume stands (less than 90 m³ /ha), and partition wood. The resulting reductions are not to exceed 20 percent in cumulative total. For dead timber, reductions shall not exceed 50 percent in cumulative total.

Class	Amount of Reductions	
	Not Serviced	Serviced
Steep Slopes		
(a) 30-40%	10%	10%
(b) 40+ %	20%	20%
Low Volume Stands		
(a) 90 - 60 m ³ /ha	10%	10%
(b) less than 60 m ³ /ha	20%	20%
Dead Timber		
(a) 26-75% dead	20%	20%
(b) 76-100% dead	50%	50%
Partition Wood		
Certified Partition Stand	20%	20%

Road Access: Non-serviced rates shall apply to areas which have been serviced by 2.0 or more kilometres of privately constructed road. In areas where 1.0 to 2.0 kilometres of private road have been provided, the applicable rates shall be those obtained by averaging the serviced and non-serviced rates.

Commencement

2. These regulations shall come into force on April 1, 2006.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 12/06**

*Notice of Protected Water Supply Area of Lookout Brook
under the
Water Resources Act*

(Filed January 30, 2006)

Under the authority of section 39 of the *Water Resources Act*, I designate the area generally known as the *Lookout Brook Water Supply Area* (WS-S-0862) for the Town of St. Lunaire-Griquet as a protected water supply area.

Dated at St. John's, January 12, 2006.

Tom Osborne
Minister of Environment and Conservation

NOTICE

This area includes all lands in the Provincial Electoral District of Strait of Belle Isle abutted and bounded as follows:

Beginning at a point having scaled UTM coordinates of easting 605 476 metres and northing 5 711 987 metres;

Then running in a southwesterly direction for a distance of 407 metres, more or less, to a point having scaled UTM coordinates of easting 605 229 metres and northing 5 711 663 metres;

Then running in a southeasterly direction for a distance of 326 metres, more or less, to a point having scaled UTM coordinates of easting 605 489 metres and northing 5 711 467 metres;

Then running in a southwesterly direction for a distance of 97 metres, more or less, to a point having scaled UTM coordinates of easting 605 445 metres and northing 5 711 381 metres;

Then running in a westerly direction for a distance of 592 metres, more or less, to a point having scaled UTM coordinates of easting 604 855 metres and northing 5 711 428 metres;

Then running in a northerly direction for a distance of 465 metres, more or less, to a point having scaled UTM coordinates of easting 604 792 metres and northing 5 711 889 metres;

Then running in a northeasterly direction for a distance of 271 metres, more or less, to a point having scaled UTM coordinates of easting 604 983 metres and northing 5 712 081 metres;

Then running in a northeasterly direction for a distance of 313 metres, more or less, to a point having scaled UTM coordinates of easting 605 268 metres and northing 5 712 210 metres;

Then running in a southeasterly direction for a distance of 305 metres, more or less, to the point of commencement.

All coordinates refer to Zone 21 of the NAD 83 Universal Transverse Mercator Projection.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 13/06**

*Notice of Protected Water Supply Area of George Ricks Pond
under the
Water Resources Act*

(Filed January 30, 2006)

Under the authority of section 39 of the *Water Resources Act*, I designate the area generally known as the *George Ricks Pond Water Supply Area* (WS-S-0562) for the Local Service District of Pollards Point as a protected water supply area.

Dated at St. John's, January 12, 2006.

Tom Osborne
Minister of Environment and Conservation

NOTICE

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

Beginning at a point having scaled UTM coordinates of easting 505 751 metres and northing 5 509 964 metres;

Then running in a southwesterly direction for a distance of 108 metres, more or less, to a point having scaled UTM coordinates of easting 05 671 metres and northing 5 509 891 metres;

Then running in a southerly direction for a distance of 150 metres, more or less, to a point having scaled UTM coordinates of easting 505 667 metres and northing 5 509 741 metres;

Then running in a southwesterly direction for a distance of 219 metres, more or less, to a point having scaled UTM coordinates of easting 505 552 metres and northing 5 509 555 metres;

Then running in a westerly direction for a distance of 307 metres, more or less, to a point having scaled UTM coordinates of easting 505 246 metres and northing 5 509 530 metres;

Then running in a westerly direction for a distance of 543 metres, more or less, to a point having scaled UTM coordinates of easting 504 710 metres and northing 5 509 445 metres;

Then running in a northerly direction for a distance of 363 metres, more or less, to a point having scaled UTM coordinates of easting 504 592 metres and northing 5 509 788 metres;

Then running in a easterly direction for a distance of 434 metres, more or less, to a point having scaled UTM coordinates of easting 505 019 metres and northing 5 509 863 metres;

Then running in a northeasterly direction for a distance of 509 metres, more or less, to a point having scaled UTM coordinates of easting 505 375 metres and northing 5 510 227 metres;

Then running in a easterly direction for a distance of 347 metres, more or less, to a point having scaled UTM coordinates of easting 505 720 metres and northing 5 510 267 metres;

Then running in a southeasterly direction for a distance of 220 metres, more or less, to a point having scaled UTM coordinates of easting 505 881 metres and northing 5 510 117 metres;

Then running in a southwesterly direction for a distance of 201 metres, more or less, to the point of commencement.

*Notice of Protected Water Supply Area
of George Ricks Pond*

13/06

All coordinates refer to Zone 21 of the NAD 83 Universal Transverse Mercator Projection.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 14/06**

Securities Regulations (Amendment)
under the
Securities Act
(O.C. 2006-022)

(Filed January 30, 2006)

Under the authority of subsection 144.1(2) of the *Securities Act*,
the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, January 30, 2006.

Robert C. Thompson
Clerk of the Executive Council

REGULATIONS

Analysis

- | | |
|---|--|
| 1. S.2 Amdt.
Interpretation | 7. S.18 Amdt.
Restrictions of exemptions |
| 2. S.3 Amdt.
Financial statements | 8. S.22 Amdt.
Consent filing |
| 3. S.4 Amdt.
Non-financial matters | 9. Ss.23, 24 & 26 Amdt.
23. Preliminary prospectus
change |
| 4. S.5 Amdt.
Confidential filing | 24. Requirements for filing |
| 5. S.7 Amdt.
Reporting issuer filing | 26. Rules |
| 6. S.13 Amdt.
Finance companies | 10. Ss.33 & 34 Amdt.
33. Compliance by issuer
34. Type of prospectus |

- | | |
|--|--|
| <p>11. S. 36 Amdt.
Wrong inference</p> <p>12. S.38 Amdt.
Preliminary prospectus</p> <p>13. S.41 Amdt.
Content of prospectus - financial matters</p> <p>14. S.42 Amdt.
Mutual fund prospectus</p> <p>15. S.43 Amdt.
Pro forma balance sheet</p> <p>16. S.44 Amdt.
Business acquisition prospectus</p> <p>17. Ss.46 & 47 Amdt.
46. Exercise of option
47. Debt securities prospectus</p> <p>18. S.48 Amdt.
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49. Acquired business statement
50. Subsidiary's statement
51. Unconsolidated financial statements</p> <p>20. S.53 Amdt.
Financial statement</p> <p>21. S.54 Amdt.
Auditor's letter</p> <p>22. S.57 Amdt.
Reporting requirements</p> <p>23. S.59 Amdt.
Statement of material facts</p> <p>24. S.61 Amdt.
Statement of material facts</p> <p>25. S.62 Amdt.
Statement of material facts</p> <p>26. S.63 Amdt.
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Prospectus requirements - variation permitted</p> <p>32. S.70 Amdt.
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Categories of registration</p> <p>40. S.92 Amdt.
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Conditions of registration</p> <p>42. S.95 Amdt.
Conditions of registration - capital requirements</p> <p>43. S.96 Amdt.
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CNLR 805/96
as amended

1. (1) Subparagraph 2(2)(b)(vii) of the *Securities Regulations* is amended by striking out the word "director" and substituting the word "superintendent".

(2) Paragraphs 2(2)(c) and (e) of the regulations are amended by striking out the word "director" and substituting the word "superintendent".

2. Subsection 3(4) of the regulations is repealed and the following substituted:

(4) Notwithstanding subsection (1), where a financial statement is not prepared in accordance with generally accepted accounting principles,

(a) the superintendent may accept the financial statement for the purposes for which it is to be filed,

(i) where the superintendent is satisfied that it is not reasonably practicable for the issuer to revise the presentation in the financial statement to conform to generally accepted accounting principles, or

(ii) where the superintendent by his or her order under paragraph (b) has previously accepted a financial statement of the same issuer with a corresponding variation from generally accepted accounting principles and the superintendent is satisfied that there has been no material change in the circumstances upon which his or her previous decision was based; or

(b) the superintendent may, by his or her order, accept the financial statement after giving interested parties an opportunity to be heard if the superintendent is satisfied in all the circumstances of the particular case that the variation from generally accepted accounting principles is supported or justified by considerations that outweigh the desirability of uniform adherence to generally accepted accounting principles.

3. Paragraph 4(b) of the regulations is amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

4. Section 5 of the regulations is amended by striking out the word "secretary" and substituting the word "superintendent".

5. Section 7 of the regulations is amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

6. (1) Subsections 13(2), (3) and (4) of the regulations are amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

(2) Subsection 13(5) of the regulations is amended by

(a) striking out the word "commission" wherever it occurs and substituting the word "superintendent"; and

(b) striking out the word "it" and substituting the words "he or she".

(3) Subsections 13(7) and (8) of the regulations are amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

7. (1) Subsection 18(2) of the regulations is amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

(2) Paragraph 18(2)(b) of the regulations is repealed and the following substituted:

(b) that to do so would not be prejudicial to the public interest, and the superintendent may impose the terms and conditions that he or she considers necessary.

8. Subsection 22(2) of the regulations is amended by striking out the word "director" and substituting the word "superintendent".

9. Sections 23, 24 and 26 of the regulations are amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

10. Sections 33 and 34 of the regulations are amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

11. (1) Subsection 36(1) of the regulations is amended by striking out the words "director or the commission" and substituting the word "superintendent".

(2) Subsection 36(3) of the regulations is amended by striking out the word "director" and substituting the word "superintendent".

12. Section 38 of the regulations is amended by

(a) striking out the word "director" and substituting the word "superintendent"; and

(b) striking out the words "Securities Commission of Newfoundland and Labrador" wherever they occur and substituting the words "Superintendent of Securities".

13. Subsections 41(1) and (6) of the regulations are amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

14. (1) Subsection 42(1) of the regulations is amended by striking out the word "director" and substituting the word "superintendent".

(2) Paragraph 42(3)(b) of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

(3) Subsection 42(4) of the regulations is amended by striking out the words "Securities Commission" and substituting the words "Superintendent of Securities".

15. Section 43 of the regulations is amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

16. Subsection 44(1) of the regulations is amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

17. Sections 46 and 47 of the regulations are amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

18. Subsection 48(2) of the regulations is amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

19. Sections 49, 50 and 51 of the regulations are amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

20. (1) Paragraph 53(1)(a) of the regulations is amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

(2) Subsection 53(3) of the regulations is repealed and the following substituted:

(3) Where under this section a financial statement contained in a prospectus is not reported on by the auditor, there shall be filed with the superintendent such advice from the auditor as is suggested for these circumstances by the Handbook of The Canadian Institute of Chartered Accountants, or such other advice as may reasonably be required by the superintendent, the purpose of which shall be to assist the superintendent in discharging his or her responsibilities and the advice may include a statement to that effect.

21. (1) Subsection 54(1) of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

(2) Subsection 54(2) of the regulations is amended by striking out the word "director" and substituting the word "superintendent".

22. Subsections 57(2) and (3) of the regulations are amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

23. Subsection 59(3) of the regulations is amended by striking out the word "director" and substituting the word "superintendent".

24. Paragraphs 61(1)(a) and (d) of the regulations are amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

25. Subsections 62(3) and (4) of the regulations are amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

26. Subsection 63(2) of the regulations is amended by striking out the word "director" and substituting the word "superintendent".

27. Section 64 of the regulations is amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

28. Section 65 of the regulations is amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

29. Section 67 of the regulations is amended by striking out the word "commission's" and substituting the word "superintendent's".

30. Subsection 68(1) of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

31. Section 69 of the regulations is amended by striking out the word "director" and substituting the word "superintendent".

32. Paragraph 70(2)(b) of the regulations is amended by striking out the word "director" and substituting the word "superintendent".

33. Paragraph 74(2)(b) of the regulations is repealed and the following substituted:

- (b) have achieved an investment rating falling within the highest or next highest categories of every service that publishes ratings on the short term debt instruments of the issuer that is recognized by the superintendent.

34. Paragraph 75(2)(b) of the regulations is repealed and the following substituted:

- (b) have achieved an investment rating falling within the highest or next highest categories of every service that publishes ratings on the short term debt instruments of the issuer that is recognized by the superintendent.

35. Subsections 82(1), (2) and (3) of the regulations are amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

36. Subparagraphs 83(2)(b)(ii) and (c)(ii) of the regulations are amended by striking out the word "director" and substituting the word "superintendent".

37. (1) Paragraph 84(c) of the regulations is amended by striking out the word "director" and substituting the word "superintendent".

(2) Subparagraphs 84(j)(vi), (l)(iii) and (v), and (t)(iii) of the regulations are amended by striking out the word "commission" and substituting the word "superintendent".

38. Subsections 85(3) and (4) of the regulations are amended by striking out the word "director" and substituting the word "superintendent".

39. Paragraph 86(a) of the regulations is repealed and the following substituted:

- (a) broker, being a person or company that is registered to trade in securities in the capacity of an agent or principal, which person or company is a member of a stock exchange in Canada recognized by the superintendent.

40. Subsections 92(1), (2) and (3) of the regulations are amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

41. Section 93 of the regulations is repealed and the following substituted:

Conditions of
registration

93. The superintendent may prescribe conditions of registration for a registrant or group of registrants that are instead of some or all of the conditions of registration prescribed in sections 96 to 110, sections 112 to 114 and sections 124 to 132, where he or she gives prior notice of the proposed conditions to the registrant or group of registrants affected and affords the registrant or group of registrants an opportunity to be heard.

42. Subsection 95(3) of the regulations is amended by striking out the word "director" and substituting the word "superintendent".

43. Section 96 of the regulations is amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

44. Section 97 of the regulations is repealed and the following substituted:

Notice to superin-
tendent

97. Every registrant shall immediately notify the superintendent in writing of a change in, or claim made under, the provisions of a bond or insurance policy maintained pursuant to the requirements of this Part.

45. (1) Subsection 98(1) of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

(2) Subsection 98(2) of the regulations is repealed and the following substituted:

(2) The superintendent may vary the amount required to be contributed by a participant where in his or her opinion it would not be prejudicial to the public interest to do so, provided that the notice of the variation is provided by the superintendent to the other participants before the variation takes effect.

46. Sections 99 and 100 of the regulations are amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

47. (1) Subsection 101(3) of the regulations is amended by striking out the word "director" and substituting the word "superintendent".

(2) Subparagraph 101(3)(f)(i) of the regulations is amended by striking out the word "if".

48. (1) Subsection 102(2) of the regulations is amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

(2) Subsection 102(6) of the regulations is repealed and the following substituted:

(6) For the purpose of complying with the requirements of this section as to obtaining appropriate information concerning new clients, use of a form in accordance with the requirements prescribed by the superintendent is sufficient, but other forms or procedures may be used where they are more appropriate.

49. Subsection 103(1) of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

50. Section 106 of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

51. Section 109 of the regulations is amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

52. Subsection 110(3) of the regulations is amended by striking out the word "director" and substituting the word "superintendent".

53. Subsections 111(4) and 112(1) of the regulations are amended by striking out the word "director" and substituting the word "superintendent".

54. Section 113 of the regulations is amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

55. Paragraphs 114(2)(b), (d), (e), (g) and (h) of the regulations are amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

56. Section 115 of the regulations is amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

57. (1) Subsection 116A(1) of the regulations is amended by striking out the word "director" and substituting the word "superintendent".

(2) Subsection 116A(2) of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

58. (1) Subsection 117(1) of the regulations is amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

(2) Subsection 117(2) of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

59. (1) Subsection 118(1) of the regulations is amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

(2) Subsection 118(2) of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

60. Section 120 of the regulations is amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

61. Section 121 of the regulations is repealed and the following substituted:

Notice to superintendent

121. Every notice to the superintendent under subsection 34(3) of the Act shall be by way of a letter filed with the superintendent providing the information required by the applicable part of that subsection and signed by the salesperson.

62. Section 123 of the regulations is amended by striking out the word "commission's" and substituting the word "superintendent's".

63. Section 124 of the regulations is repealed and the following substituted:

Reporting to superintendent

124. Every adviser, mutual fund dealer and scholarship plan dealer shall deliver to the superintendent within 90 days after the end of its financial year a copy of its financial statements for the financial year.

64. Sections 126, 127 and 129 of the regulations are amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent"

65. Section 130 of the regulations is repealed and the following substituted:

Auditor's instructions

130. (1) Every registrant that is not a member in good standing of a self-regulatory body referred to in section 25 of the Act shall issue a direction to its auditor instructing the auditor to conduct an audit requested by the superintendent during its registration and shall deliver a copy of the direction to the superintendent

(a) with its application for registration; and

(b) immediately after the registrant changes its auditor.

(2) Where the superintendent requests an auditor to conduct an audit of the financial affairs of a registrant in accordance with a direction referred to in subsection (1), all fees related to the audit shall be paid by the registrant.

66. Section 131 of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

67. Subparagraphs 133(a)(iii) and (b)(i) and (ii) of the regulations are amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

68. Paragraphs 135(a), (b) and (c) of the regulations are amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

69. Paragraph 137(1)(a) of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

70. (1) Paragraphs 139(a) and (b) of the regulations are amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

(2) Paragraph 139(d) of the regulations is amended by

(a) striking out the word "commission" and substituting the word "superintendent"; and

(b) striking out the word "director" and substituting the word "superintendent".

Failure of material
to comply

71. (1) Subsection 140(1) of the regulations is repealed and the following substituted:

140.(1) Where material that is filed is not prepared in accordance with the Act or these regulations, the superintendent may return the material to the person or company that is required to comply with the provisions.

(2) Subsection 140(2) of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

72. Section 149B of the regulations is amended by striking out the words "designated by the commission" and substituting the words "designated by the superintendent".

73. Section 149C of the regulations is repealed and the following substituted:

Facsimile signature

149C. A report prepared in accordance with Form 35 that is filed with the superintendent may contain the facsimile signature of the individual, officer, director, agent or attorney required to sign the form, if an original manually signed copy is filed concurrently with a securities commission in Canada designated by the superintendent for the purpose of accepting the filings.

74. (1) Subsection 156(2) of the regulations is amended by

(a) striking out the word "director's" and substituting the word "superintendent's"; and

(b) striking out the word "director" and substituting the word "superintendent".

(2) Subsections 156(6) and (7) of the regulations are amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

75. Section 168B of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

76. Section 168H of the regulations is repealed and the following substituted:

Alternative signature

168H. Where the superintendent is satisfied upon evidence or submissions made to him or her that a chief executive officer or chief financial officer is, for adequate cause, not available to sign a certificate or notice required to be filed under Part XIX of the Act, the superintendent may permit the certificate or notice to be signed by another responsible officer or director.

77. (1) Subparagraph 169(1)(a)(ix) of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

(2) Paragraphs 169(1)(b), (d) and (e) of the regulations are amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

(3) Subsection 169(3) of the regulations is amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

78. Subsection 171(4) of the regulations is amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

79. Subsection 172(3) of the regulations is amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

80. (1) Subsection 173(6) of the regulations is amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

(2) Subsections 173(8) and (9) of the regulations are amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

81. (1) Subsection 174(1) of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

(2) Paragraph 174(3)(c) of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

82. Section 175 of the regulations is amended by

(a) striking out the word "commission" wherever it occurs and substituting the word "superintendent"; and

(b) striking out the word "it" and substituting the words "he or she".

83. Paragraph 176(1)(a) of the regulations is amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

84. Sections 179 and 180 of the regulations are amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

85. Subsection 181(1) of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

86. Section 182 of the regulations is amended by

(a) striking out the word "commission" wherever it occurs and substituting the word "superintendent"; and

(b) striking out the word "it" and substituting the words "he or she".

87. (1) Subparagraph 183(1)(f)(iv) of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

(2) Paragraph 183(1)(i) of the regulations is amended by striking out the word "commission" and substituting the word "superintendent".

88. Section 184 of the regulations is amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

89. Subsections 187(1), (3) and (4) of the regulations are amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

90. Section 193 of the regulations is amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

91. Section 195 of the regulations is amended by striking out the word "commission" wherever it occurs and substituting the word "superintendent".

92. Section 197 of the regulations is amended by

- (a) striking out the word "commission" wherever it occurs and substituting the word "superintendent"; and**
- (b) striking out the word "it" and substituting the words "he or she".**

93. (1) Paragraphs 198(1)(c), (d) and (f) and paragraphs 198(2)(j), (p) and (v) of the regulations are amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

(2) Subparagraph 198(1)(d) of the regulations is amended by striking out the word "registrar" and substituting the word "superintendent".

(3) Subsections 198(4), (5), and (7) of the regulations are amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

(4) Subsection 198(6) of the regulations is amended by

(a) striking out the word "director" wherever it occurs and substituting the word "superintendent"; and

(b) striking out the word "registrar" and substituting the word "superintendent".

(5) Section 198 of the regulations is amended by striking out the introductory portion of subsection (8) and substituting the following:

(8) The superintendent shall object to a proposed offering memorandum prospectus if it appears to him or her that any of the following circumstances exist:

(6) Paragraphs 198(8)(e) and (f) of the regulations are amended by striking out the word "director" wherever it occurs and substituting the word "superintendent".

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**NEWFOUNDLAND AND LABRADOR
REGULATION 15/06**

*Proclamation re Writ of Election for the Electoral District
of Placentia and St. Mary's (February 21, 2006)
under the
Elections Act, 1991 and the House of Assembly Act
(O.C. 2006-030)*

(Filed January 30, 2006)

*ELIZABETH THE SECOND, by the Grace of God of the
United Kingdom, Canada and Her Other Realms and Territories
QUEEN, Head of the Commonwealth, Defender of the Faith.*

CLYDE K. WELLS
Administrator

JOHN CUMMINGS
Deputy Minister of Justice

TO ALL TO WHOM THESE PRESENTS SHALL COME,

GREETING;

A PROCLAMATION

WHEREAS under the authority of section 57 of the *Elections Act, 1991* (the "Act"), and pursuant to section 54 of the *House of Assembly Act*, upon the occurrence of a vacancy by the resignation of the sitting member on the 13th. day of December, 2005, we are directed to issue a Writ of Election for the election of a Member to the House of Assembly;

AND WHEREAS it is Our will and pleasure that a Writ of Election be issued for the Election of One Member to serve in the House of Assembly of Our Province of Newfoundland and Labrador for the Electoral District of Placentia & St. Mary's;

NOW KNOW YE that We do by this Our Proclamation direct that a Writ of Election for the Electoral District of Placentia & St. Mary's be issued;

AND WE DO further direct

1. That the date set to be the last day for nomination of candidates for the Election is Saturday, the 11th. day of February, 2006;
2. That the place for the nomination of candidates is 1234 Main Road, Dunville;
3. That the day of polling for the Election is Tuesday, the 21st. day of February, 2006; and
4. That the Writ of Election shall be issued on Monday, the 30th. day of January, 2006 and be returnable at the time and in the manner prescribed by Division E of the Act, together with the return of the person to whom the writ is directed endorsed thereon, and all other documents and other things required to be transmitted to the Chief Electoral Officer by virtue thereof.

IN WITNESS WHEREOF we have caused the Great Seal of Our province to be hereunto affixed.

WITNESS: Our trusty and well-beloved the
Honourable Chief Justice Clyde K. Wells,
Administrator in and for Our
Province of Newfoundland and Labrador.

AT St. John's this 30th day of January,
in the year of Our Lord two thousand and six
in the fifty-fourth year of Our Reign.

BY COMMAND,

JACK BRYNE
Registrar General

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