



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 82

ST. JOHN'S, FRIDAY, FEBRUARY 9, 2007

No. 6

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:

A portion of license 010608M
Held by Candente Resource Corp.
Situates near Wood Lake, Central NL
On map sheet 12A/04
more particularly described in an application on file at Department of Natural Resources

Mineral License 009709M
Held by Datan Resources Ltd.
Situates near Maccles Lake, Central NL
On map sheet 02D/09

A portion of license 010494M
Held by Quinlan, Marilyn
Situates near Gander River, Central NL
On map sheet 02E/02

more particularly described in an application on file at Department of Natural Resources

A portion of license 011931M
Held by Clode Sound Resources Inc
Situates near Taylors Mountain, Southern NL
On map sheet 01M/10
more particularly described in an application on file at Department of Natural Resources

Mineral License 011308M
Held by Gordon, Troy
Situates near Goose Arm Brook, Western NL
On map sheet 12H/04

Mineral License 011309M
Held by Gordon, Troy
Situates near Wigwam Lake, Western NL
On map sheet 12H/04

Mineral License 011312M
Held by Courtney, Stephen
Situates near Greenwood Pond, Central NL
On map sheet 02D/11

Mineral License 011313M
Held by Stares, Alexander T.
Situate near Baie Verte Mine Area
On map sheet 12H/16

DUFFY AND ASSOCIATES
Solicitors for the Mortgagee
PER: Jacqueline H. Glynn

The lands covered by this notice except for the lands within Exempt Mineral Lands, the Exempt Mineral Lands being described in CNLR 1143/96 and NLR 71/98, 104/98, 97/2000, 36/2001, 31/2004 and 78/2006 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: 4506, 5342, 5834, 5840, 6380, 6381, 6383,
6384, 6387, 6388

Feb 9

CONVEYANCING ACT

NOTICE OF SALE 495 CONCEPTION BAY HIGHWAY & TANK ROAD, HOLYROOD, NEWFOUNDLAND AND LABRADOR

TAKE NOTICE that under and by virtue of the provisions of the *Conveyancing Act*, cC-34, RSNL 1990, as amended, the property hereinafter more particularly described will be sold by Public Tender on the 16th of February, 2007.

The sale is being made to satisfy an amount due on premises situate at 495 Conception Bay Highway & Tank Road, Holyrood, Newfoundland and Labrador. The said premises to be sold are more particularly described in a Mortgage dated May 26, 2005 Registration Number 64916 at the Registry of Deeds for the Province of Newfoundland and Labrador.

Tenders must be submitted to the undersigned and received by 1:00 p.m., February 16th, 2007. Tenders must be submitted with a certified cheque for ten percent (10%) of the amount of the tender. The highest or any tender will not necessarily be accepted. Completion of the sale to occur on or before March 16th, 2007.

Further particulars as to the terms of the sale, binding upon a tenderer whose tender is accepted, may be obtained by contacting the undersigned solicitors for the Mortgagee. Persons wishing to view the subject property are also asked to contact the undersigned solicitors for the Mortgagee.

DATED at St. John's, Newfoundland and Labrador, this 29th day of January, 2007.

ADDRESS FOR SERVICE:
640 Torbay Road
St. John's, NL
A1A 5G9

Tel # 709-726-5298
Fax # 709-726-8883

Feb 9

URBAN AND RURAL PLANNING ACT

NOTICE OF REGISTRATION ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBERS 396, 2007; 397, 2007; 398, 2007 AND 399, 2007

TAKE notice that the St. John's Development Regulations Amendment Numbers 396, 2007; 397, 2007; 398, 2007 and 399, 2007, adopted on the 22nd day of January, 2007, have been registered by the Minister of Municipal Affairs.

In general terms, the purpose of each amendment is:

1. Development Regulations Amendment Number 396, 2007

To introduce a definition for "Heavy Equipment Storage", to introduce controls for "Heavy Equipment Storage" and to introduce "Heavy Equipment Storage" as a Discretionary Use in the Rural Residential (RR) Zone and the Rural Residential Infill (RRI) Zone.

2. Development Regulations Amendment Number 397, 2007

To clarify the minimum lot frontage requirement for semi-detached dwellings in the Residential Battery (RB) Zone.

3. Development Regulations Amendment Number 398, 2007

To make additional provision in the Development Regulations for the establishment of "Uses complementary to a Seniors' Apartment Building" as a Discretionary Use in all zones which allow Seniors' Apartment Buildings, and to repeal the current restrictions in place in the Development Regulations regarding the location and duplication of commercial services and the operation of day care centres within Senior's Apartment Buildings.

4. Development Regulations Amendment Number 399, 2007

To set a maximum period for the deferral by an applicant of development applications which are required to be advertised for public review before being referred to Council for decision.

The amendments 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 amendments may do so at the Department of Planning, 3rd Floor, St. John's City Hall during regular business hours.

CITY OF ST. JOHN'S
Cliff Johnston
Department of Planning

Feb 9

**NOTICE OF REGISTRATION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBERS 401, 2007**

TAKE notice that the St. John's Development Regulations Amendment Number 401, 2007, adopted on the 22nd day of January, 2007, has been registered by the Minister of Municipal Affairs.

In general terms, the purpose of St. John's Development Regulations Amendment Number 401, 2007 is to rezone land situated at 70 Freshwater Road from the Residential High Density (R3) Zone to the Apartment Low Density (A1) Zone in order to accommodate development of an apartment building. This amendment will also place a height restriction of maximum of 2 storeys (not exceeding 8 metres) for apartment buildings at this location.

The St. John's Development Regulations Amendment Number 401, 2007 comes into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of the amendment may do so at the Department of Planning, 3rd Floor, St. John's City Hall during regular business hours (Monday through Friday, 9:00 am to 4:30 pm).

CITY OF ST. JOHN'S
Cliff Johnston
Department of Planning

Feb 9

TRUSTEE ACT

ESTATE NOTICE

IN THE MATTER OF the estate and effects of late Emma Elizabeth Wells of the Town of Old Perlican, in the Province of Newfoundland and Labrador, Retired Person, Deceased

ALL PERSONS claiming to be creditors of or who have any claims or demands upon or affecting the Estate of

Emma Elizabeth Wells, the aforesaid deceased, who died at the Town of Perlican, in the Province of Newfoundland and Labrador on or about the 5th day of November, 2006, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned Solicitor for the Executrix of the Estate on or before the 12th day of February, 2007 after which date the Executrix will proceed to distribute the said Estate having regard only to the claims of which she shall then have had notice.

DATED at the Town of Gander, Newfoundland and Labrador, this 24th day of January, 2007.

BONNELL LAW
Solicitor for the Executrix
PER: R. Archibald Bonnell

ADDRESS FOR SERVICE:

P. O. Box 563
218 Airport Boulevard
Gander, NL
A1V 2E1

Feb 2 & 9

ESTATE NOTICE

IN THE MATTER OF the estate and effects of late Donna Carol Barnes, of the Town of Gander, in the Province of Newfoundland and Labrador, Retired Journalist, Deceased

ALL PERSONS claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Donna Carol Barnes, the aforesaid deceased, who died at the Town of Gander, in the Province of Newfoundland and Labrador on or about the 31st day of December, 2006, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned Solicitor for the Executrix of the Estate on or before the 12th day of February, 2007 after which date the Executrix will proceed to distribute the said Estate having regard only to the claims of which she shall then have had notice.

DATED at the Town of Gander, Newfoundland and Labrador, this 23rd day of January, 2007.

BONNELL LAW
Solicitor for the Executrix
PER: R. Archibald Bonnell

ADDRESS FOR SERVICE:

P. O. Box 563
218 Airport Boulevard
Gander, NL
A1V 2E1

Feb 2 & 9

ESTATE NOTICE

IN THE MATTER OF the Estate of Olga R. Ayre, late of the City of St. John's, Province of Newfoundland and Labrador, Gentlewoman, deceased, who died at St. John's, aforesaid, on or about the 5th day of January, 2007.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Olga R. Ayre, late of the City of St. John's, in the Province of Newfoundland and Labrador, deceased, are hereby requested to send the particulars of the same in writing, duly attested, to the undersigned Solicitor for the Executors of the Estate on or before the 15th day of March, 2007, after which date the said Executors shall proceed to distribute the said Estate having regard only to the claims of which notice shall have been received.

Dated at St. John's, Newfoundland and Labrador, this 1st day of February, 2007.

FRENCH, NOSEWORTHY & ASSOCIATES
Solicitors for the Executors
PER: Ronald S. Noseworthy, Q.C.

ADDRESS FOR SERVICE:
Suite 122, Elizabeth Towers
100 Elizabeth Avenue
St. John's, NL A1B 1S1

Tel # 709-754-1800
Fax # 709-754-2701

Feb 9 & 23

ESTATE NOTICE

IN THE MATTER OF the Estate of Douglas Harold Jenkins, late of the City of Corner Brook, Newfoundland and Labrador, Optometrist, Deceased.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Douglas Harold Jenkins, late of the City of Corner Brook, in the Province of Newfoundland and Labrador, Optometrist, deceased, are hereby requested to send particulars thereof in writing duly attested to the undersigned Solicitors for the Executrix of the Estate of the said deceased on or before the day of 13th day of March, 2007, after which date the said Executrix will proceed to distribute the said Estate having regard only to the claims of which she then shall have notice.

MURPHY, WATTON & BURRIDGE
Solicitors for the Executrix
PER: Derrick G.M. Watton

ADDRESS FOR SERVICE:
P. O. Box 815
17 West Street
Corner Brook, NL
A2H 6H9

Tel # 709-634-3231
Fax # 709-634-8889

Feb 9

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:-*

SHIRLEY SELMA

of P. O. Box 528, 139 Edwards Drive, Sheshatshiu, in the Province of Newfoundland and Labrador, as follows:

To change my name from

SHIRLEY SELMA
to
SHIRLEY HILL

DATED this 22nd day of January, 2007.

SHIRLEY SELMA
(Signature of Applicant)

Feb 9

**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:-*

CRAIG NEWTON CHARLES HUSSEY

of 29 Green's Road Extension, Bay Roberts, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

ORAYA HARNCHANA
to
ORAYA SARAH VICTORIA HUSSEY

DATED this 25th day of January, 2007.

CRAIG HUSSEY
(Signature of Applicant)

Feb 9

**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:-

DONALD WAYNE BEASON

of 3 Coopers Avenue, Grand Falls-Windsor, A2B 1G8, in the Province of Newfoundland and Labrador, as follows:

To change my name from

DONALD WAYNE BEASON
to
DONALD WAYNE BESON

DATED this 19th day of January, 2007.

DONALD W. BEASON
(Signature of Applicant)

Feb 9

**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:-

TODD OSMOND

of 64 Parkhill Street, St. John's, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

BRANDON TODD CRANE
to
BRANDON TODD OSMOND

DATED this 22nd day of January, 2007.

TODD OSMOND
(Signature of Applicant)

**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:-

ALLISON HYNES

of P. O. Box 113, Terrenceville, A0E 2X0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

KIRA ELIZABETH MARY BYRD
to
KIRA ELIZABETH MARY HYNES

DATED this 23rd day of January, 2007.

ALLISON HYNES
(Signature of Applicant)

Feb 9

**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:-

JENNIFER LOUISE O'BRIEN

of 19 Rocky Brook Road, Reidville, A8A 2Z4, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

MATTHEW ALVIN JAMES BECK
to
MATTHEW ALVIN JAMES O'BRIEN

DATED this 30th day of January, 2007

JENNIFER O'BRIEN
(Signature of Applicant)

Feb 9



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

Vol. 82

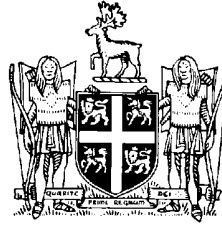
ST. JOHN'S, FRIDAY, FEBRUARY 9, 2007

No. 6

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 16/07

NLR 23/07



NEWFOUNDLAND AND LABRADOR REGULATION 16/07

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

(Filed February 6, 2007)

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, February 6, 2007.

David W. Jones, QC
Registrar of the Supreme Court
Secretary, Rules Committee

RULES

Analysis

- | | |
|--|--|
| 1. Rule 56A.02 Amdt.
Interpretation | 5. Rule 56A.28 Amdt.
Child support |
| 2. Rule 56A.06 Amdt.
Starting a family law proceeding | 6. Rule 56A.35 Amdt.
How to require the filing of forms |
| 3. Rule 56A.16 Amdt.
How to claim interim relief or get the Court's direction | 7. Rule 56A.36 Amdt.
How to require the disclosure of other information |
| 4. Rule 56A.25 Amdt.
Judgments and orders | |

- | | |
|---|---|
| <p>8. Rule 56A.37 Amdt.
How to resolve disputes about disclosure</p> <p>9. Rule 56A.40 Amdt.
When non-parties have to disclose</p> <p>10. Rule 56A.58 Amdt.
Documents required in claim for child support</p> <p>11. Rule 56A.60 R&S
Under the <i>Children's Law Act</i> and the <i>Divorce Act</i> (Canada)</p> <p>12. Rule 56A.61 R&S
Under the <i>Family Law Act</i> and the <i>Divorce Act</i> (Canada)</p> <p>13. Rule 56A Forms Amdt.</p> | <p>14. Rule 56C R&S</p> <p>RULE 56C
FAMILY JUSTICE SERVICES</p> <p>56C.01 Definitions
56C.02 Application
56C.03 Family Justice Services Procedure
56C.04 Consent orders
56C.05 Non-application of Family Justice Services Division involvement
56C.06 When a matter is urgent
56C.07 Provisional orders</p> <p>15. Commencement</p> |
|---|---|

1. (1) Rule 56A.02(1) of the *Rules of the Supreme Court, 1986* is repealed and the following substituted:

Interpretation

56A.02. (1) Rules 56A, B and C apply to family law proceedings in the court and may be cited separately as the *Family Law Rules*.

(2) Rule 56A.02 of the rules is amended by adding immediately after rule 56A.02(7) the following:

(8) The adjudication of family law disputes shall be provided for in accordance with the following principles:

- (a) parties who have separated or are in dispute in a family matter have an innate ability to resolve their own disputes;
- (b) children are often harmed by conflict between their parents;
- (c) the adversarial court process may not always be conducive to the resolution of conflict and may in some cases increase conflict between the parties;
- (d) parties should engage in dispute resolution processes with the assistance of professionals before engaging in the adversarial court processes;

- (e) legal counsel have an important role in providing legal advice to parties in relation to separation and divorce and in advising parties independently as to their respective rights and responsibilities;
- (f) providing information to parents related to the effects of separation and divorce and other legal issues related to separation and divorce is desirable;
- (g) providing counselling services where needed is often helpful to parties and their children;
- (h) dispute resolution techniques shall be attempted before any appearance in court by the parties if possible;
- (i) the dispute resolution service provided should be such as to recognize high conflict, violence and other circumstances which may be a barrier or partial barrier to the parties attempting to resolve their own disputes;
- (j) counsel acting for parties, if any, in a family law matter should be involved in the dispute resolution process if desired by the parties;
- (k) that in some circumstances the dispute resolution process is not appropriate;
- (l) where the dispute resolution process is unsuccessful in assisting the parties to resolve their family law dispute, other techniques such as proactive case management meetings and settlement conferences should be made available to the parties if possible; and
- (m) family law disputes are best dealt with in a timely manner.

2. (1) Rules 56A.06(1) and (2) of the rules are repealed and the following substituted:

Starting a family law proceeding

56A.06. (1) A person may start a family law proceeding by presenting an original and two signed copies of an originating application in Forms 56A.06A to the court that has jurisdiction to hear the matter.

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

(2) Rule 56A.06(4) is repealed and the following substituted:

(4) The Registrar shall issue the originating application and file the copies 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.

3. Rule 56A.16 is of the rules amended by adding immediately after rule 56A.16(7) the following:

(8) With regard to any claim for relief to which Rule 56C applies and where a note to court as provided for in Rule 56C has not been filed regarding that matter, no application under this rule should be made unless a party, without having to give notice to the other party under rule 56A.17, obtains leave of the court to proceed with that application.

4. (1) Rule 56A.25(3) of the rules is repealed and the following substituted:

(3) Unless the court orders otherwise, an application for judgment or an order to be made by consent shall be accompanied by

- (a) the written consent of the lawyer of each party who is represented by a lawyer; or
- (b) the written consent of each party who is acting in person, or of the respondent who has not appeared, witnessed by a person authorized to take an oath or affirmation.

(2) Rule 56A.25 of the rules is amended by adding immediately after rule 56A.25(3) the following:

(4) Parties seeking to file an order by consent may do so without seeking the leave of the court or appearing unless the court orders otherwise.

5. (1) Rule 56A.28(1) of the rules is repealed and the following substituted:

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; 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.

(2) Rule 56A.28(3) of the rules is repealed and the following substituted:

(3) If an applicant or respondent is claiming child support or a variation of child support different from the basic table amount set by the guidelines or is making a claim under section 7 of the guidelines

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

6. (1) Rule 56A.35(2) of the rules is repealed and the following substituted:

(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 and the information requested shall be provided using Form 56A.35B.

(2) Rule 56A.35(3)(b) of the rules is repealed and the following substituted:

- (b) file and serve the objection, together with the information which that party does not object to disclosing, within 15 days after service of the notice to disclose and either party may bring the matter before the court by way of a case management meeting for determination of the objection. The court may make any order it feels appropriate when that objection is filed.

(3) Rule 56A.35 of the rules is amended by adding immediately after rule 56A.35(4) the following:

(5) The court may make an order for costs as is considered appropriate taking into account the relevance, form and content of the notice to disclose and any reasons given for an objection to disclose.

7. Rules 56A.36(2), (3) and (4) of the rules are repealed and the following substituted:

(2) A party who is served with a notice to reply to written questions shall serve and file the answers within 15 days after service of that notice and the answers shall be provided using Form 56A.36B.

(3) Where the party served with a notice objects to disclosing any of the information requested 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, together with the affidavit answering those questions which the party does not object to answering, within 15 days after service of the notice and either party may bring the matter before the court by way of a case management meeting and the court may make an order as to whether a party is required to answer a question or not.

(4) The court may make an order for costs as is considered appropriate taking into account the relevance, form and content of the notice to reply to written questions and the reasons given for an objection.

8. Rule 56A.37 of the rules is repealed and the following substituted:

How to resolve disputes about disclosure

56A.37. (1) Where the response to a notice to disclose or notice to reply to written questions is not satisfactory, the party asking for disclosure may obtain a date for a case management meeting to request an order requiring the other party or non-party to give more or better information.

(2) Where an objection has been made under Rule 31, rule 56A.35 or rule 56A.36, either party or a non-party served with that notice, may obtain a date for a case management meeting to decide the validity of that objection.

9. (1) Rule 56A.40(2) of the rules is repealed and the following substituted:

(2) Where there is a claim for undue hardship by either party under the guidelines, the court may order any of the following persons residing with a party to file and serve a completed financial statement in Form 56A.27A:

- (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.

(2) Rule 56A.40(4) of the rules is repealed and the following substituted:

(4) Where a person referred to in subparagraph (2) 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 be directed further 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.

10. Rule 56A.58(3)(b)(v) of the rules is repealed and the following substituted:

- (v) there is shared custody of a child and if so, include a statement of the expenses, direct and indirect, solely in relation to those children for whom custody is shared;

11. Rule 56A.60 of the rules is repealed and the following substituted:

Under the *Children's Law Act* and the *Divorce Act* (Canada)

56A.60. Where an applicant applies for judgment in an uncontested family law proceeding under the *Children's Law Act* or *Divorce Act* (Canada) in addition to the material required to be filed under rule 56A.24, the applicant shall also file with the affidavit in Form 56A.24C the following additional information:

- (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 applicant's 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 be-

tween 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,

and those parts of the affidavit that do not apply to the application and the requested order shall be struck through and initialled.

12. Rule 56A.61 of the rules is repealed and the following substituted:

Under the *Family Law Act* and the *Divorce Act* (Canada)

56A.61. Where the applicant applies for judgment for spousal support in an uncontested family law proceeding under the *Family Law Act* or *Divorce Act* (Canada), in addition to the material required to be filed under rule 56A.25(5), the applicant shall also file with the affidavit in Form 56A.24C the following additional information:

- (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 shall 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,

and those parts of the affidavit that do not apply to the application and the requested order shall be struck through and initialled.

13. (1) Rule 56A of the rules is amended by repealing Form 56A.06A and substituting the following:

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:

- Divorce
- Child Support
- Custody
- Access
- Spousal Support
- Parental Support
- Partner Support
- Division of Matrimonial Property
- Claim for Property made by common law spouses
- Costs
- Other (specify) _____
(attach details to this application)

Where claim includes divorce

2. My/Our grounds for seeking a divorce are a permanent break-down 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, (provide details of where and when) _____
- or**
- treated me with physical and/or mental cruelty of such a kind as to render our continued cohabitation intolerable; (provide details) _____ 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 application.

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

7. (Where no certificate of marriage or of registration of marriage has been filed.) It is impossible or impractical to obtain a certificate of marriage or of registration of marriage.

To be completed for all claims other than divorce

a) That the parties were married on _____ and separated _____; and

an originating application for divorce has been commenced in the Supreme Court at (place) _____ (province) _____ 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 (place) _____ (province)

- _____.
- or**
- c) That the parties were never married but lived together from _____ to _____.
- or**
- d) That the parties were never married and never lived together but were in a relationship that began _____ and ended _____.
- or**
- e) Other (*provide details*) _____.

To be completed for all claims (if applicable):

8.

	Applicant	Respondent
Surname at birth		
Place of Birth		
Date of Birth		
Present Address (include postal code)		
Phone Number		

9. (a) Children:

Child's Full Name	Place & 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: _____

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

11. Child Support:

- I am claiming the basic table amount as per the *Federal Child Support Guidelines*.
 (If any of the following apply, you shall file a *Financial Statement in Form 56A.27A*)
- I am claiming the basic table amount plus an amount for special expenses. (*complete Schedule "A" attached*)
- I am not claiming the basic table amount but I am claiming an amount for special expenses. (*complete Schedule "A" attached*)
- 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. (*complete Schedule "B" attached*)
 - 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 \$150,000.00 annually.

12. Spousal, Partner Or Parental Support

- I am not claiming spousal, partner or parental support.

- I am claiming spousal, partner or parental support. I am attaching a Financial Statement in Form 56A.27A. My reasons for claiming spousal, partner or parental support are _____.

13. Property

- (a) I am claiming
 - Exclusive possession of the matrimonial home
 - Division of property
 - Equal (*skip paragraph 13(b)*)
 - or
 - Unequal (*complete paragraph 13(b) below*)
 - Other _____ (*complete paragraph 13(b) below*)
 - Property of my common law spouse (*complete paragraph 13(b) below*)
- (b) The reasons for my claim are _____.

14. Other Claims _____.

I/We, _____, the Applicant (Co-Applicants), declare the contents of the within originating application are true to the best of my information and belief.

SWORN TO OR AFFIRMED at _____ in the Province of Newfoundland and Labrador this _____ day of _____, 20____.

Commissioner of Oaths/Justice of the Peace

Signature of Applicant(s)
Name/Address of Applicant's Solicitor
(if applicable)

If this document is personally served, it shall be personally served upon the Respondent by an adult other than the Applicant.

To be completed where claim includes divorce and Applicant(s) is/are represented by a solicitor

Statement of Solicitor

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

DATED at _____, this _____ day of _____, 20 __.

Signature of Solicitor
Address of Solicitor

Filed at _____, Province of Newfoundland and Labrador this _____ day of _____, 20 ____.

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

Schedule "A"

Claim for Special/Extraordinary Expenses:

Under the *Federal or Provincial 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.

Schedule "B"

Claim based on undue hardship

Under the *Federal or Provincial 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. _____

Central Divorce Registry No. _____ (if applicable)

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 shall file a Response at the Court within the following times:

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

If served outside of Canada or the United States, 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 shall file a financial statement in Form 56A.27A if spousal, partner or parental support is claimed.

If the application relates to child support, you shall also file with the Court and serve on the Applicant each of the following within the time set out above:

1. A written statement from your employer confirming your year to date earnings, including overtime and rate of annual pay
2. Copies of your tax return for the last 3 years

3. Copies of the Notices of Assessment or Re-assessment issued by Canada Customs and Revenue Agency with respect to each of the last 3 years tax returns. You may contact Canada Customs and Revenue Agency 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 **shall** also **comply** with Section 21(1) of the **Federal Child Support Guidelines**. *For more information relating to child support, consult the **Federal or Provincial Child Support Guidelines**.*

The financial information outlined above and a financial statement in Form 56A.27A shall be provided as well if there is a claim for Special/Extraordinary 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 _____, 20_____.

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

(2) Rule 56A of the rules is amended by repealing Form 56A.25.

(3) Rule 56A of the rules is amended by repealing Form 56A.28A and substituting the following:

Form 56A.28A

(rule 56A.28)

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

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 shall 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 shall 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 or Provincial 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.

9. All amounts owing under this Order shall be paid directly to the Director of Support Enforcement for the benefit of the child[ren] of the marriage at: Support Enforcement Agency, P. O. Box 2006, Corner Brook, NL A2H 6J8, and this Order shall be enforced by the Director of Support Enforcement under the *Support Orders Enforcement Act* or any successor Act unless the Order is withdrawn from the Director in accordance with the *Support Orders Enforcement Act* or any successor Act.

Dated at _____, Newfoundland and Labrador, this _____ day of _____, 20_____.

Signature of Applicant
or Applicant's lawyer

Dated at _____, Newfoundland and Labrador, this _____ day of _____, 20_____.

Signature of Respondent
or Respondent's lawyer

This Form shall 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 reassessment, 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) 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 reassessment, 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.

(4) Rule 56A of the rules is amended by adding immediately after Form 56A.35A the following:

Form 56A.35B

(rule 56A.35)

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 to Notice to Disclose

In Response to the Notice to Disclose served by the (Applicant) (Respondent) and dated the ___ day of _____, 20___, I make oath (or affirm) and say as follows:

1. I am the (Applicant) (Respondent) in the foregoing proceeding [or I am (other) and authorized to make this Affidavit].

2. Attached are the following documents requested by the (Applicant) (Respondent):

(list documents and attach to the Response)

3. I object to the production of the following document(s) requested by the (Applicant) (Respondent)

(list documents and attach to the Response)

for the following reasons:

(state reason(s) for objection(s))

SWORN TO OR AFFIRMED at _____ this _____ day of _____, 20____, before me

A Commissioner, etc.
TO: The (Applicant)(Respondent)
AND TO: The Court

(5) Rule 56A of the rules is amended by adding immediately after Form 56A.36A the following:

Form 56A.36B

(rule 56A.36)

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

Answers to Notice to Reply to Written Questions

In answer to the Notice to Reply to Written Questions served by the (Applicant) (Respondent) and dated the _____ day of _____, 20____, I make oath (or affirm) and say as follows:

1. I am the (Applicant) (Respondent) in the foregoing proceeding [or I am (other) and authorized to make this Affidavit].

2. As to the (first) Written Question, I say (*state answer based on his or her knowledge*).

3. As to the (second) Written Question, I say that I have no personal knowledge of any of the matters referred to, but to the best of my knowledge, information and belief after making proper inquiries I say that (*state answer based on inquiries*).

4. As to the (third) Written Question, I say that to the best of my knowledge, information and belief I am unable to answer the same. I do not know and cannot ascertain whether (*state particulars*).

5. As to the (fourth) Written Question, I object to answering this Written Question on the grounds that (*state the grounds of objection*).

SWORN TO OR AFFIRMED at _____ this _____ day of _____, 20____, before me

A Commissioner, etc.
TO: The (Applicant)(Respondent)
AND TO: The Court

14. Rule 56C of the rules is repealed and the following substituted:

**RULE 56C
FAMILY JUSTICE SERVICES**

Definitions

56C.01. In this Part

- (a) "Family Justice Services Division" is a division of the court offering education and information sessions and mediation to parties and counselling services to the parties or their children or any combination of these services considered required, or offered to those other persons referred to in rule 56C.03(2) in order to assist in the non-adversarial resolution of their dispute;
- (b) "note to court" is a document, the form of which has been approved by the Chief Justice, filed with the court by the Family Justice Services Division where there is a family law

proceeding advising of whether the parties participated in and resolved their family law dispute; and

- (c) "staff" refers to staff assigned to and working with the Family Justice Services Division.

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.

Family Justice Services Procedure

56C.03. (1) Where a family law proceeding involving a claim for child support, spousal or partner support, custody or access is initiated by way of an Originating Application or Response and commenced in the court, the Registrar shall within two working days from the receipt of the proof of service of the application or the filing of the Response, forward a copy of the pleadings, along with the most current addresses and telephone numbers for the parties, to the Family Justice Services Division office located closest to the applicant's residence or, if the applicant resides outside the province, the Family Justice Services Division office located closest to the respondent's residence.

(2) Nothing in rule 56C.03(1) precludes the provision of services where both parents, spouses or partners wish to avail of the assistance of the Family Justice Services Division without commencing an application to the court.

(3) The applicant shall serve the application on the respondent as provided by rule 56A.10 as soon as is reasonably practical and thereafter file an affidavit of service with the court.

(4) Counsel for the parties shall be contacted by the Family Justice Services Division staff where the names of counsel are placed on the pleadings or the staff become aware of a lawyer's involvement with either of the parties.

(5) Unless counsel for the parties have provided written confirmation to the Family Justice Services Division that they wish to negotiate the issues and that there is reasonable potential for a negotiated settlement in that fashion, the staff shall contact each of the parties and

their counsel, if any, advising them of a date and time for an intake session.

(6) Following intake for the parties, the staff shall advise the parties whether or not a dispute resolution session(s) shall take place and, if so, the dates for that session(s), including mediation or counselling services.

(7) Except where exempted by the staff of the Family Justice Services Division or a judge, the parties shall attend the intake session, scheduled information session(s) and any scheduled dispute resolution session(s) before scheduling a case management meeting or other appearance before the court.

(8) The provision of a Response to an application filed under rule 56A.06 may be delayed until a time that the Family Justice Services staff files the note to court at which time the respondent shall file a response within 7 days.

(9) Notwithstanding the time required to provide financial disclosure under the guidelines or elsewhere in these rules, when required by the staff, the parties shall provide all financial information requested in a timely fashion.

(10) Where a party fails to attend an intake, information session or a dispute resolution session as required by the staff of the Family Justice Services Division, the court may

- (a) refuse to proceed with a case management meeting;
- (b) order a party to attend an intake, education or information session;
- (c) make an order as to costs against the party; and
- (d) make another order that the court feels just and appropriate in the circumstances.

(11) In the event that a matter remains at the Family Justice Services Division for greater than two months from the intake session where support is the only issue or three months otherwise, upon the agreement of the parties, the court shall be notified of any extension of

time for dispute resolution service. The court shall be notified by the filing of a note to court.

(12) Where the staff has determined the parties have not resolved their dispute, or where the procedure set out in this part is considered inappropriate by the staff, the staff shall file a note to court advising the court of same and shall provide the parties or their counsel with a copy to court. Upon receipt of the note to court, the Registrar shall set a date for a case management meeting as provided for in rule 56A.21 and shall advise the parties by regular mail or, if represented, to their counsel by email or facsimile transmission of the date set for the case management meeting.

Consent orders

56C.04. (1) Where the staff are successful in assisting the parties to reach an agreement on all or any of the issues raised by the pleadings, the staff, or counsel, shall prepare a draft consent order signed by the parties or their counsel and file same with the court.

(2) Where a draft consent order is filed in accordance with (1), a judge may approve the consent order without appearance by the parties except where the judge may require the parties or their counsel to appear in order to answer any questions related to the draft order.

(3) Where a consent order is filed on some matters under (1) but not all issues raised by the pleadings are resolved, the staff shall file a note to court advising the court of same and shall provide the parties, or their counsel, with a copy of the note to court. Upon receipt of the note to court, the Registrar shall set a date for a case management meeting as provided for in rule 56A.21 and shall advise the parties by regular mail or, if represented, to their counsel by email or facsimile transmission of the date set for the case management meeting.

(4) The form and content of a child support order shall be consistent with that in Form 56C.04A.

Non-Application of Family Justice Services Division involvement

56C.05. The Family Justice Services Division or the process set out in this part shall not apply to the following claims for relief:

- (a) the claim relates only to the granting of a divorce;

(b) any claim for a division of matrimonial property; and

(c) any claim for recognition of a constructive and/or resulting trust;

but Rule 37A, rule 39.05 and rule 39.06 may apply, as, in the opinion of a judge the circumstances may warrant.

When a matter is urgent

56C.06. (1) Where a judge is satisfied that an application should proceed without involvement of the Family Justice Services Division 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 or delay the involvement of the Family Justice Services Division to another time as determined by the court.

(2) Where a judge makes an order under (1), a judge may subsequently order the matter to be referred to Family Justice Services Division 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 province, the applicant shall proceed to serve the application on the respondent and the Registrar shall forward the application to the Family Justice Services Division office located closest to the party within this province 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, the staff shall file a consent order along with a document signed by the respondent advising of his or her consent to attorn 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, except where a judge requires further information from the parties or their counsel.

(4) Where a draft consent order is filed under rule 56C.07(2) and all issues raised in the pleadings are not resolved, the staff shall file

a note to court advising the court of same and shall provide the parties, or if represented their counsel, with a copy of the note to court. Upon the receipt of the note to court, the Registrar shall set a date for a provisional hearing as set out in the *Divorce Act (Canada)* and shall advise the party in the jurisdiction of the court by regular mail or, if represented, their counsel by email or facsimile transmission of the date set for the hearing.

(5) Where the staff has determined the parties are unsuccessful in resolving their dispute, or where the procedure set out in this part is considered inappropriate by the staff, the staff shall file a note to court advising the court of same and shall provide the parties, or their counsel, with a copy of the note to court. Upon the Registrar receiving the note to court, the application shall proceed to a provisional hearing as set out in the *Divorce Act (Canada)*.

Form 56C.04A

(rule 56C.04)

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

Court No. _____

Court File No. _____

Central Divorce Registry No. _____ (if applicable)

Before the Honourable Justice this ____ day of _____,

BETWEEN: _____ APPLICANT

AND: _____ RESPONDENT

[Consent] Order

This proceeding coming on this day for hearing;
Upon hearing _____, counsel for the Applicant and _____
counsel for the Respondent, and reading the pleadings filed;
[And Upon consent of the parties;]

It is hereby Ordered that:

1. The Applicant/Respondent, _____, having been found to have a gross annual income of \$ _____, shall pay to the Respondent/Applicant, the sum of \$ _____ a month for the support of the following children:

_____, born _____; and

_____, born _____

commencing _____, _____, and on the _____ day of each and every month thereafter.

or

(where there is child support paid per section 7 of the Guidelines, where there is a shared/split parenting arrangement)

The applicant has a gross annual income of \$ _____. The Respondent has a gross annual income of \$ _____. The Applicant/Respondent shall pay to the Respondent/Applicant the sum of \$ _____ month for the support of the following children:

_____, born _____; and

_____, born _____

commencing _____, _____, and on the _____ day of each and every month thereafter.

2. There are special or extraordinary expenses, being:

(identify the special/extraordinary expense, the child for whom the expense is incurred, the total cost, the amount that the payor is to contribute and the date the payments are to be made each month.)

3. *(insert any other child support provisions - i.e. recalculation of child support, exchange of financial information per section 25 of the Guidelines)*

4. All amounts owing under this Order shall be paid directly to:

Director
Support Enforcement Agency

P. O. Box 2006
Corner Brook, NL A2H 6J8

This Order shall be enforced by the Director of Support Enforcement, unless withdrawn in accordance with section 5(1) of the *Support Orders Enforcement Act*.

Dated at _____, Newfoundland and Labrador this _____ day of _____, ____.

I, _____, [counsel for] the Applicant consent to the form and filing of the within Consent Order [on behalf of the Applicant].

Applicant or Applicant's lawyer

Witness to Applicant's signature (if necessary)

I, _____, [counsel for] the Respondent consent to the form and filing of the within Consent Order [on behalf of the Respondent].

Respondent or Respondent's lawyer

Witness to Respondent's signature (if necessary)

Commencement

15. These rules come into force on March 1, 2007.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 23/07**

Milk Regulations, 1998 (Amendment)
under the
Milk Scheme, 1998
and the
Natural Products Marketing Act

(Filed February 6, 2007)

Under the authority of section 8 of the *Milk Scheme, 1998* and the *Natural Products Marketing Act*, the Dairy Farmers of Newfoundland and Labrador make the following regulations.

Dated at St. John's, December 1, 2006.

Harry Burden
Executive Director
Dairy Farmers of Newfoundland and Labrador

REGULATION

Analysis

1. S.26 Amdt.
Service charge

NLR 69/98
as amended

1. Paragraph 26(a) of the *Milk Regulations, 1998* is repealed and the following substituted:

- (a) \$0.028 per litre on all milk originally produced by the registered producers, payable by the registered producers, for use by DFNL as follows:
- (i) for DFNL administration,
 - (ii) for the Newfoundland and Labrador School Milk Program,
 - (iii) for the Newfoundland and Labrador Federation of Agriculture, and
 - (iv) for DFNL promotional activities; and

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Judicature Act			
Rules of the Supreme Court, 1986 (Amdt) (In force March 1, 2007)	NLR 16/07	Rule 56A.02 Amdt Rule 56A.06 Amdt Rule 56A.16 Amdt Rule 56A.25 Amdt Rule 56A.28 Amdt Rule 56A.35 Amdt Rule 56A.36 Amdt Rule 56A.37 Amdt Rule 56A.40 Amdt Rule 56A.58 Amdt Rule 56A.60 R & S Rule 56A.61 R & S Rule 56A Forms Amdt Rule 56C R & S	Feb 9/07, p. 69
 Natural Products Marketing Act and the Milk Scheme, 1998			
Milk Regulations, 1998 (Amendment)	NLR 23/07	Amends NLR 69/98 S. 26	Feb 2/07, p. 99

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Legislative History of the Judicature Act, 1791-1988

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