



# THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 83

ST. JOHN'S, FRIDAY, FEBRUARY 29, 2008

No. 9

## URBAN AND RURAL PLANNING ACT

### NOTICE OF REGISTRATION TOWN OF CONCEPTION HARBOUR MUNICIPAL PLAN AMENDMENT NO. 1 2007, and DEVELOPMENT REGULATIONS AMENDMENT NO. 3, 2007

Take notice that the Town of Conception Harbour Municipal Plan Amendment No. 1, 2007, and Development Regulations Amendment No. 3, 2007 approved on the 16th day of October, 2007, has been registered by the Minister of Municipal Affairs.

In general terms, the purpose of the Municipal Plan Amendment No.1, 2007, is to add policy for the protection of the four wellheads located in the Town. The Amendment will also transfer the digital plan future land use designation layer to new mapping and integrate the existing digital mapping into a new digital map.

Development Regulations Amendment No. 3, 2007 will add conditions to the Residential Land Use Zone Table for the protection of the four wellheads and also consist of a transfer of the digital zoning layer to new mapping and integrate the existing digital mapping into a new digital map.

The Town of Conception Harbour Municipal Plan Amendment No. 1, 2007, and Development Regulations Amendment No. 3, 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 Town of Conception Harbour Municipal Plan Amendment No. 1, 2007, and Development Regulations Amendment No. 3, 2007, may do so at the Town Office, Conception Harbour, during normal working hours.

TOWN OF CONCEPTION HARBOUR  
Lillian Connors, Town Clerk

Feb 29

## TRUSTEE ACT

### ESTATE NOTICE

IN THE MATTER OF THE ESTATE of THADDEUS RUSSELL, late of the Town of Kippens, in the Province of Newfoundland and Labrador, retired, deceased February 5<sup>th</sup>, 2008.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of THADDEUS RUSSELL, late of the Town of Kippens, 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 Executor of the Estate on or before the 24<sup>th</sup> day of March, 2008, 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 19<sup>th</sup> day of February, 2008.

ROXANNE PIKE LAW OFFICE  
Solicitor for the Executor  
PER: Roxanne Pike

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

Tel: 709-643-6436  
Fax: 709-643-7343

Feb 29

**ESTATE NOTICE**

In the Estate of HUGH BRUCE Late of the Town of Stephenville, in the Province of Newfoundland and Labrador, retired, deceased: February 15<sup>th</sup>, 2008.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of HUGH BRUCE, late of the Town of Stephenville, 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 Executor of the Estate on or before the 31<sup>st</sup> day of March, 2008, 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 25<sup>th</sup> day of February, 2008.

ROXANNE PIKE LAW OFFICE  
Solicitor for the Executor  
PER: Roxanne Pike

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

Tel: 709-643-6436  
Fax: 709-643-7343

Feb 29

**CHANGE OF NAME ACT**

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**C-8 RSNL 1990**  
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**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:-

MARTINE BROWN

of 4 Hartery Crescent, St.John's, A0A 1J0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

JAMES JESSE GORDEN WILLIAMS  
to  
JAMES JESSE GORDEN BROWN

DATED this 18<sup>th</sup> day of February, 2008.

MARTINE BROWN  
(Signature of Applicant)

Feb 29

**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:-

STACY DAWN PELLEY

of P. O. Box 48, Sunnyside, A0B 3J0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

BRIANNA OLIVIA ROSE PELLEY  
to  
BRIANNA OLIVIA ROSE GREEN

DATED this 8<sup>th</sup> day of February, 2008.

STACY PELLEY  
(Signature of Applicant)

Feb 29

**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:-

VICKY LINE JULIEN

of 70 Guzzwell Drive, St. John's, A1A 4M2, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

AMY MARIE FOWLER  
to  
AMY MARIE JULIEN-FOWLER

DATED this 6<sup>th</sup> day of February, 2008.

VICKY JULIEN  
(Signature of Applicant)

Feb 29

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**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:-

MELANIE LEANNE HANDCOCK

of 16 Wilcockson Crescent, Gander, A1N 1M5, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

BRITTANY NICOLE RANDELL

to

BRITTANY NICOLE RANDELL HANDCOCK

DATED this 28<sup>th</sup> day of November, 2007.

MELANIE LEANNE HANDCOCK  
(Signature of Applicant)

Feb 29

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**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:-

JEROME STANLEY BENOIT

of 28 Brook Street, Box 189, Stephenville Crossing., A0N 2C0, in the Province of Newfoundland and Labrador, as follows:

To change my name from

JEROME STANLEY BENOIT

to

JEROME STANLEY BENNETT

DATED this 14<sup>th</sup> day of February, 2008.

JEROME BENOIT  
(Signature of Applicant)

Feb 29

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# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART II

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

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Vol. 83

ST. JOHN'S, FRIDAY, FEBRUARY 29, 2008

No. 9

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### NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 11/08  
NLR 12/08  
NLR 13/08  
NLR 14/08  
NLR 15/08



## NEWFOUNDLAND AND LABRADOR REGULATION 11/08

*Offshore Area Registration Regulations  
(Amendment)*  
under the  
*Canada-Newfoundland and Labrador Atlantic Accord  
Implementation Newfoundland and Labrador Act  
(O.C. 2008-041)*

*(Filed February 26, 2008)*

Under the authority of section 114 of the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, February 25, 2008.

Gary Norris  
Clerk of the Executive Council

### REGULATIONS

#### *Analysis*

- |                              |  |
|------------------------------|--|
| 1. S.5 Amdt.<br>Registration | 5. S.12 R&S<br>Surrender of interest             |
| 2. S.6 Amdt.<br>Documents    | 6. S.12.1 Added<br>Registrar's endorsement       |
| 3. S.9 Amdt.<br>Corrections  | 7. S.13 Amdt.<br>Appointment of a representative |
| 4. S.11 R&S<br>Notice        |  |

CNLR 2/96  
as amended

**1. (1) Subsections 5(1) and (2) of the *Offshore Area Registration Regulations* are repealed and the following substituted:**

Registration

**5.** (1) On registering an interest, the registrar shall prepare an abstract of the interest and without delay enter the abstract in a book to be maintained as the register.

(2) The abstract shall contain the following information:

(a) the type, effective date and term of the interest;

(b) the name of the interest owner or, if the interest owner consists of two or more interest holders, the name of each holder and the name of the representative appointed or designated under section 52 of the Act;

(c) the particulars of the shares in the interest; and

(d) a description of those portions of the offshore area, geological formations and substances to which the interest applies.

**(2) Subsection 5(3) of the regulations is repealed.**

**(3) Paragraph 5(5)(a) of the regulations is repealed and the following substituted:**

(a) changes to the information recorded in the abstract, other than the corrections referred to in subsection 9(2);

**(4) Paragraph 5(5)(e) of the regulations is repealed and the following substituted:**

(e) the extension of the term of that interest under a provision of the Act.

**2. Subsection 6(1) of the regulations is repealed and the following substituted:**

Documents

**6.** (1) The registrar shall stamp each document submitted for registration under Division VII of Part II of the Act with the date and time of its receipt at the office of the registrar.

**3. Subsection 9(1) of the regulations is repealed and the following substituted:**

Corrections

**9.** (1) The registrar shall cancel the registration of any interest registered in error and shall forthwith notify the interest owner, the representative appointed or designated under section 52 of the Act, if any, and any other person that is directly affected by the cancellation.

**4. Section 11 of the regulations is repealed and the following substituted:**

Notice

**11.** Unless otherwise specified in the Act, a notice that is required to be given to a person by the board or the registrar under Part II of the Act shall be given by personal service or by registered mail sent to the latest address for that person that is filed with the registrar.

**5. Section 12 of the regulations is repealed and the following substituted:**

Surrender of interest

**12.** (1) An interest may be surrendered with respect to all or any portion of the offshore area that is subject to the interest by sending a notice of surrender to the registrar describing the offshore area in question.

(2) A notice of surrender of an interest in respect of all the offshore area subject to the interest shall be executed by the interest owner or, if the interest owner consists of more than one interest holder, by each holder.

(3) A notice of surrender of an interest in respect of a portion of the offshore area that is subject to the interest shall be executed by the interest owner or by the holder of each share in the interest held in respect of that portion.

**6. The regulations are amended by adding immediately after section 12 the following:**

Registrar's endorsement

**12.1** If an interest is surrendered, the registrar shall endorse a memorandum to that effect on the original copy of that interest maintained under paragraph 7(2)(a) and shall make a notation of the surrender in the abstract of that interest.

**7. (1) Subsection 13(1) of the regulations is repealed and the following substituted:**

Appointment of a representative

**13.** (1) Interest holders shall appoint a representative referred to in subsection 52(1) of the Act by sending a notice of appointment executed by each interest holder to the registrar.

**(2) Subsection 13(3) of the regulations is repealed and the following substituted:**

(3) If the interest holders terminate the appointment of a representative referred to in subsection 52(1) of the Act, the interest holders shall, without delay, provide the registrar with a notice of termination and the termination shall be effective when the notice is received by the registrar.

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## NEWFOUNDLAND AND LABRADOR REGULATION 12/08

*Directed Sale of Timber Regulations*  
under the  
*Forestry Act*  
(O.C. 2008-038)

*(Filed February 26, 2008)*

Under the authority of section 38 of the *Forestry Act*, the Lieutenant-Governor in Council makes the following.

Dated at St. John's, February 25, 2008.

Gary Norris  
Clerk of the Executive Council

### REGULATIONS

#### *Analysis*

- |  |  |
|--|--|
| 1. Short title                         | 8. Referral to arbitration                     |
| 2. Interpretation                      | 9. Arbitrator's decision                       |
| 3. Non-application of regulations      | 10. Offer of settlement                        |
| 4. Notice of directed sale             | 11. When arbitrator's decision becomes binding |
| 5. Directed sale agreement required    | 12. Costs of arbitration                       |
| 6. Duration of directed sale agreement | 13. Arbitration Act does not apply             |
| 7. Waiver                              |  |
| PART I<br>ARBITRATION PROCESS          | PART II<br>RIGHT OF FIRST<br>REFUSAL           |

14. Right of first refusal	PART III
15. Operation of right of first refusal	GENERAL
16. Duration of agreement	17. Transfer of right
	18. Application of regulations

Short title                   **1.** These regulations may be cited as the *Directed Sale of Timber Regulations*.

Interpretation           **2.** (1) In these regulations

(a) "Act" means the *Forestry Act*;

(b) "applicant" means a person who

(i) applies for a cutting permit under section 27 of the Act;  
or

(ii) proposes to enter into a timber sale agreement with the minister under section 22 of the Act;

(c) "designated purchaser" means a person to whom timber cut under a cutting permit or a timber sale agreement shall be offered for sale, as specified by the Lieutenant-Governor in Council under subsection 22(2) or 27(8) of the Act;

(d) "directed sale" means a sale by an applicant to a designated purchaser under the terms of a cutting permit or a timber sale agreement; and

(e) "Labrador Inuit Settlement Area" has the meaning assigned to it in the Labrador Inuit Land Claims Agreement as defined in the *Labrador Inuit Land Claims Agreement Act*.

(2) Unless otherwise stated, a reference in these regulations to a notice means a notice in a form approved by the minister.

(3) In these regulations, communications may be made by electronic means and are not required to be in writing unless that requirement is specifically stated.

Non-application of regulations           **3.** These regulations shall not apply to the Labrador Inuit Settlement Area.

Notice of directed sale

**4.** (1) Where the Lieutenant-Governor in Council requires that timber which is the subject of

- (a) a cutting permit; or
- (b) a timber sale agreement

be offered for sale to a designated purchaser, the minister shall notify the applicant and the designated purchaser of that requirement at the time an application for a cutting permit is made or a timber sale agreement is proposed.

(2) The notice referred to in subsection (1) shall contain the following information:

- (a) contact information for the designated purchaser and the applicant;
- (b) the volume of timber proposed to be cut;
- (c) the location where the timber is to be cut;
- (d) the category or categories of timber to which the requirement of the directed sale applies;
- (e) other information that the minister considers relevant to a determination of the sale price of the timber; and
- (f) the duration of the directed sale conditions.

Directed sale agreement required

**5.** (1) Upon receipt of the notice referred to in subsection 4(1), the applicant and the designated purchaser shall enter into negotiations respecting an agreement for the directed sale of timber.

(2) A cutting permit shall not be issued or a timber sale agreement shall not be concluded until

- (a) the applicant and the designated purchaser have each advised the minister in writing that an agreement for the directed sale of timber has been concluded; or

(b) the designated purchaser has, in writing, advised the applicant and the minister that he or she has waived his or her right to enter into a directed sale agreement under section 7.

(3) The provisions of an agreement referred to in this section shall not form a term or condition of a cutting permit or a timber sale agreement unless it is required to be so by the Lieutenant-Governor in Council under subsection 22(2) or 27(8) of the Act.

(4) The minister is not a party to a directed sale agreement.

Duration of directed  
sale agreement

**6.** (1) An agreement for the directed sale of timber concluded under these regulations shall remain in effect as follows:

(a) where an agreement for the directed sale of timber has been concluded as a condition of the issuance of a cutting permit, the directed sale agreement shall remain in effect for the term of the cutting permit; and

(b) where an agreement for the directed sale of timber has been concluded as a condition of entry into a timber sale agreement between the applicant and the minister, the directed sale agreement shall remain in effect for

(i) the term of the timber sale agreement, or

(ii) one calendar year

whichever time period is the lesser.

(2) Where a timber sale agreement is for a term of more than one calendar year and the directed sale agreement referred to in subsection (1) expires while the timber sale agreement is in effect, timber shall not be cut under the timber sale agreement until

(a) the applicant and designated purchaser have concluded a new agreement for the directed sale of timber; or

(b) the designated purchaser has waived his or her right to enter into a directed sale agreement under section 7.

Waiver

**7.** (1) A designated purchaser may waive his or her right to enter into an agreement for the directed sale of timber at any time

- (a) before a directed sale agreement is reached; or
- (b) where an arbitration has commenced, before the minister notifies the parties that an arbitrator has reached a decision in the arbitration.

(2) Where an applicant or a designated purchaser has referred a matter to arbitration under section 8 and the arbitrator has issued a decision, the designated purchaser may not waive his or her right to enter into an agreement for the directed sale of timber if the applicant has consented to the decision of the arbitrator under section 9.

(3) A waiver under subsection (1) shall be in writing and a copy shall be delivered to the minister, the applicant, and the arbitrator where one has been appointed.

#### **PART I ARBITRATION PROCESS**

Referral to arbitration

**8.** (1) Where an agreement for the directed sale of timber has not been concluded within 30 days of the issuance of the notice referred to in subsection 4(1), either the applicant or the designated purchaser may ask the minister to appoint an arbitrator to whom the outstanding matter may be submitted and shall provide the other party with a copy of that request.

(2) At the discretion of the minister, 2 or more applicants may join together as a party to an arbitration.

(3) Within 14 days of receipt of the request for the appointment of an arbitrator referred to in subsection (1), the minister shall appoint an arbitrator and notify the applicant and the designated purchaser of that appointment.

(4) Within 10 days of the appointment of the arbitrator by the minister, the designated purchaser and the applicant shall each provide the arbitrator with a written submission setting out:

- (a) the names of the applicant and designated purchaser;
- (b) a summary of the facts;
- (c) the issue or issues requiring settlement;

- (d) a final offer by each to the other party respecting the price of timber and any terms and conditions of the directed sale; and
- (e) any other matter considered relevant by the applicant or the designated purchaser

and each party shall provide the other with a copy of the party's submission under this subsection.

(5) A party to an arbitration under this section may, within 5 days of the date that the arbitrator has received both submissions under subsection (4), submit to the arbitrator a rebuttal to the information contained in the submission of the other party.

(6) Where an arbitrator considers it necessary to clarify a final offer or other matter contained in a submission or a rebuttal, he or she may request and receive oral or written information from either party.

(7) Where an arbitrator requests additional information from a party under this section that information may be provided orally or in writing and the other party to the arbitration shall be informed of that request and be provided with the opportunity to hear that information and respond to it within the time period set by the arbitrator.

(8) The arbitrator shall conduct the arbitration proceedings in the manner the arbitrator considers appropriate having regard to the circumstances of the dispute.

(9) The arbitrator is not bound by the rules of evidence and has the power to determine the admissibility, relevance and weight of evidence and may determine the manner in which evidence is to be admitted.

Arbitrator's decision

- 9.** (1) The arbitrator shall, within 14 days of the date
- (a) on which he or she is first in receipt of the submission of both the applicant and the designated purchaser; or
  - (b) on which the arbitrator is first in receipt of the additional information requested under section 8,

file his or her decision with the minister.

(2) The arbitrator's decision shall be in writing and shall be based on a selection of one of the parties' final offers as submitted to the arbitrator.

(3) An arbitrator is not required to provide written reasons in support of his or her decision.

(4) The minister shall, within 5 days of receiving the arbitrator's decision, notify the parties of that decision.

Offer of settlement

**10.** (1) A party to an arbitration may make an offer of settlement in writing to the other at any time before the minister notifies the parties that the arbitrator has reached a decision in the arbitration.

(2) If an offer of settlement made under subsection (1) is accepted by the other party, the applicant and the designated purchaser shall each

(a) notify the arbitrator in writing of the settlement agreement; and

(b) notify the minister in writing that the request for the appointment of an arbitrator or a submission under an arbitration is revoked and that an agreement for the directed sale of timber has been concluded.

When arbitrator's decision becomes binding

**11.** (1) Participation in the arbitration process as set out in these regulations shall not be construed as requiring an applicant to pursue a cutting permit or timber sale agreement under the Act.

(2) Where the applicant submits to the decision of the arbitrator,

(a) the decision shall become binding on both parties; and

(b) the applicant and the designated purchaser shall each notify the minister in writing that the matter has been resolved and that an agreement for the directed sale of timber has been concluded.

(3) The provisions of an arbitrator's decision under this section shall not form a term or condition of a cutting permit or a timber sale

agreement unless it is required to be so by the Lieutenant-Governor in Council under subsection 22(2) or 27(8) of the Act.

Costs of arbitration

**12.** (1) Each party to arbitration is responsible for the cost of preparing and presenting his or her own case in arbitration.

(2) The fees and expenses of the arbitrator and the costs of the administrative services in the arbitration shall be shared equally by the parties to the arbitration.

(3) This section shall apply notwithstanding that

(a) during the course of the arbitration, a settlement was agreed to by the parties or a waiver under section 7 was exercised by the designated purchaser; or

(b) an applicant chooses not to pursue a cutting permit or timber sale agreement under the Act.

Arbitration Act does not apply

**13.** The *Arbitration Act* does not apply to an arbitration conducted under these regulations.

## PART II RIGHT OF FIRST REFUSAL

Right of first refusal

**14.** (1) Where the Lieutenant-Governor in Council requires that timber which is the subject of

(a) a cutting permit; or

(b) a timber sale agreement

is to be first offered for sale to a specified person, the minister shall notify the applicant and the designated purchaser at the time an application for a cutting permit is made or a timber sale agreement is proposed by the applicant.

(2) The notice referred to in subsection (1) shall contain the following information:

(a) contact information for the designated purchaser and the applicant;



- (b) the volume of timber proposed to be cut;
- (c) the location where the timber is to be cut;
- (d) the category or categories of timber subject to the right of first refusal;
- (e) any other information that the minister considers relevant to the selling price of the timber; and
- (f) the duration of the right of first refusal.

Operation of right  
of first refusal

**15.** (1) Where the sale of the timber is subject to a right of first refusal and the applicant receives an acceptable offer from a third party, he or she shall deliver a written copy of that offer to the designated purchaser.

(2) Within 14 days of receipt of a copy of the third party offer, the designated purchaser may exercise or waive his or her right of first refusal and shall advise the applicant and the minister in writing.

(3) Notwithstanding subsection (2), a designated purchaser may waive his or her right of first refusal at any time, including where no third party offers have been received, and where the designated purchaser waives that right, he or she shall advise the applicant and the minister of that waiver in writing.

(4) Where the designated purchaser elects to exercise his or her right of first refusal, he or she shall submit to the applicant, before the expiry of the period referred to in subsection (2), an offer which shall be on the same terms and conditions as, or better than, the offer made by the third party.

(5) The applicant may choose to accept an offer made under subsection (4) but an offer made by a designated purchaser in the exercise of the right of first refusal shall not be construed as requiring an applicant to pursue a cutting permit or timber sale agreement under the Act.

(6) Where an offer made under subsection (4) is accepted by the applicant, the applicant and the designated purchaser shall each notify the minister in writing that an agreement for the sale of timber has been

concluded and the minister may then issue a cutting permit or conclude a timber sale agreement as appropriate.

(7) The provisions of an agreement referred to in subsection (6) shall not form a term or condition of a cutting permit or a timber sale agreement unless it is required to be so by the Lieutenant-Governor in Council under subsection 22(2) or 27(8) of the Act.

(8) Where the designated purchaser waives his or her right of first refusal within the period specified in subsection (2), the applicant shall be free to enter into an agreement with a third party provided that the agreement is on the same terms and conditions as the offer submitted to the designated purchaser.

(9) Where the designated purchaser does not respond to the applicant within the period referred to in subsection (2), he or she shall be considered to have waived his or her right of first refusal and the applicant shall be free to enter into an agreement with another person for the sale of timber.

(10) Where a right of first refusal has been waived under subsection (2) or (3), or is considered to have been waived under subsection (9), it shall not be exercised by the designated purchaser

- (a) in the case of a right of first refusal under a cutting permit, for the term of the permit; and
- (b) in the case of a right of first refusal under a proposed timber sale agreement, for one calendar year or the term of the timber sale agreement, whichever is the lesser.

(11) The minister is not a party to an agreement reached in the exercise of a right of first refusal under this section.

Duration of agreement

**16.** (1) An agreement for the sale of timber concluded between the applicant and the designated purchaser under subsection 15(5) shall remain in effect

- (a) where an agreement for the sale of timber has been concluded as a condition of the issuance of a cutting permit, the sale agreement shall remain in effect for the term of the cutting permit; and

(b) where an agreement for the sale of timber has been concluded as a condition of entry into a timber sale agreement between the applicant and the minister, the sale agreement shall remain in effect for

(i) the term of the timber sale agreement, or

(ii) one calendar year

whichever time period is the lesser.

(2) Where an agreement between the applicant and the designated purchaser expires under paragraph (1)(b) while the timber sale agreement is in effect, the applicant may not cut timber under the timber sale agreement until

(a) the designated purchaser has been given a new opportunity to exercise his or her right of first refusal in accordance with these regulations; and

(b) the applicant and the designated purchaser have concluded a new agreement or the designated purchaser has waived his or her right of first refusal.

(3) The requirements of paragraph (1)(b) and subsection (2) apply to an agreement concluded under paragraph (2)(b).

**PART III  
GENERAL**

Transfer of right

**17.** A right conferred under these regulations is not transferable.

Application of regulations

**18.** (1) These regulations shall apply to a person who applies for a cutting permit or to enter into a timber sale agreement where that application is made for an area of the province where a transfer agreement under section 12 of the Act is in force.

(2) These regulations shall apply to a person who applies for a cutting permit or to enter into a timber sale agreement where that application is made for an area of the province within which the Crown requires that timber be offered for sale under the agreement referred to in

the *Government-Corner Brook Pulp and Paper Limited Agreement Act, 1994*.

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**NEWFOUNDLAND AND LABRADOR  
REGULATION 13/08**

*Central Regional Service Board Order*  
under the  
*Regional Service Boards Act*  
(O. C. 2008-036)

*(Filed February 26, 2008)*

Under the authority of section 3 of the *Regional Service Boards Act* the Lieutenant-Governor in Council, on the recommendation of the Minister of Municipal Affairs, makes the following Order.

Dated at St. John's, February 25, 2008.

Gary Norris  
Clerk of the Executive Council

**ORDER**

*Analysis*

1. Short title
2. Creation of Region
3. Establishment of board

Short title

**1.** This Order may be cited as the *Central Regional Service Board Order*.

Creation of Region

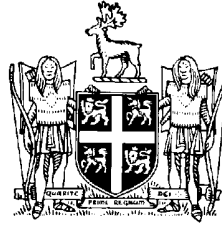
**2.** The towns, local service districts and unincorporated areas within the boundaries of Buchans in the west, Salvage in the east, north

to and including Fogo Island, and Glovers Harbour in the northwest are constituted as a region with the name of the Central Region.

Establishment of  
Board

**3.** The Central Regional Service Board is established for the region for the purpose of providing regional services in accordance with the Act.

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**NEWFOUNDLAND AND LABRADOR  
REGULATION 14/08**

*Greater Avalon Regional Service Board Order*  
under the  
*Regional Service Boards Act*  
(O.C. 2008-035)

*(Filed February 26, 2008)*

Under the authority of section 3 of the *Regional Service Boards Act*, the Lieutenant Governor in Council, on the recommendation of the Minister of Municipal Affairs, makes the following Order.

Dated at St. John's, February 25, 2008.

Gary Norris  
Clerk of the Executive Council

**ORDER**

*Analysis*

1. Short title
2. Creation of region
3. Establishment of board

Short title

**1.** This Order may be cited as the *Greater Avalon Regional Service Board Order*.

Creation of region

**2.** The towns, local service districts and unincorporated areas within the area of the Town of Clarenville and east of it including Ran-

dom Island and west of it including Swift Current are constituted as a region with the name of the Greater Avalon Region.

Establishment of  
board

**3.** The Greater Avalon Regional Service Board is established for the region for the purpose of providing regional services in accordance with the Act.

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**NEWFOUNDLAND AND LABRADOR  
REGULATION 15/08**

*Northern Peninsula Regional Service Board Order  
(Amendment)  
under the  
Regional Service Boards Act  
(O.C. 2008-037)*

*(Filed February 26, 2008)*

Under the authority of section 3 of the *Regional Service Boards Act*, the Lieutenant-Governor in Council, on the recommendation of the Minister of Municipal Affairs, makes the following Order.

Dated at St. John's, February 25, 2008.

Gary Norris  
Clerk of the Executive Council

**ORDER**

*Analysis*

- |                                  |                                      |
|----------------------------------|--------------------------------------|
| 1. S.2 R&S<br>Creation of region | 2. S.3 R&S<br>Establishment of board |
|                                  | 3. Sch. Rep.                         |

NLR 32/05

**1. Section 2 of the *Northern Peninsula Regional Service Board Order* is repealed and the following substituted:**

*Northern Peninsula Regional Service Board Order  
(Amendment)*

15/08

Creation of region      **2.** The towns, local service districts and unincorporated areas north of River of Ponds are constituted as a region with the name of the Northern Peninsula Region.

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

Establishment of board      **3.** The Northern Peninsula Regional Service Board is established for the region for the purpose of providing regional services in accordance with the Act.

**3. The Schedule to the Order is repealed.**

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<b>Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act</b>			
Offshore Area Registration Regulations (Amdt)	NLR 11/08	Amends CNLR 2/96 Ss 5, 6 & 9 Amdt Ss. 11 & 12 R & S S. 12.1 Added S. 13 Amdt.	Feb 29/08, p. 77
<b>Forestry Act</b>			
Directed Sale of Timber Regulations	NLR 12/08	New	Feb 29/08, p. 81
<b>Regional Service Boards Act</b>			
Central Regional Service Board Order	NLR 13/08	New	Feb 29/08, p. 93
Greater Avalon Regional Service Board Order	NLR 14/08	New	Feb 29/08, p.95
Northern Peninsula Regional Service Board Order (Amdt)	NLR 15/08	Amends NLR 32/05 Ss. 2 & 3 R & S Sch. Rep.	Feb 29/08, p. 97

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