



# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART I

### PUBLISHED BY AUTHORITY

Vol. 83	ST. JOHN'S, FRIDAY, May 30, 2008	No. 22
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#### MINERAL ACT

#### NOTICE

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

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

Mineral License	007321M
Held by	Lynch, Deirdre Marie Angela
Situate near	Cabot Lake
On map sheet	14D/02

Mineral License	010993M
Held by	SVB Nickel Company Ltd
Situate near	Pants Lake
On map sheet	13M/08

Mineral License	011746M
Held by	Turpin, Andrew A.
Situate near	Northwest Cove, Southern NL
On map sheet	01M/13

Mineral License	011748M
Held by	Turpin, Benjamin
Situate near	Northwest Cove, Southern NL
On map sheet	01M/13

Mineral License	011756M
Held by	Global Gold Uranium, LLC
Situate near	Grand Lake
On map sheet	13F/09

Mineral License	011758M
Held by	Fraser, Garry B.
Situate near	Kings Point, Central NL
On map sheet	12H/09

Mineral License	012856M
Held by	Pye, Alison W.
Situate near	Burke Brook, Southern NL
On map sheet	11O/16

Mineral License	013071M
Held by	Landmark Minerals Inc.
Situate near	Dunns Mountain, Southern NL
On map sheet	01M/15

Mineral License Held by Situates near On map sheet	013079M 10565 NL Inc Colville Lake 23H/12	Situates near On map sheet	Victoria Lake, Central NL 12A/05
Mineral License Held by Situates near On map sheet	013096M White, Jason Gushues Pond, Avalon Peninsula 01N/06	Mineral License Held by Situates near On map sheet	013114M Rowsell, Craig Victoria Lake, Central NL 12A/05
Mineral License Held by Situates near On map sheet	013097M Running Fox Resource Corp. Monkey Hill 13J/15 13J/14	Mineral License Held by Situates near On map sheet	013115M Rowsell, Craig Victoria Lake, Central NL 12A/05
Mineral License Held by Situates near On map sheet	013098M Running Fox Resource Corp. Kanaikiktok River 13K/15 13K/16	Mineral License Held by Situates near On map sheet	013116M Courtney, Stephen Sandy Lake, Central NL 12A/09
Mineral License Held by Situates near On map sheet	013100M Stares, Robert T. Strouds Pond Area, Burin Peninsula 01M/03	Mineral License Held by Situates near On map sheet	013126M Roche, Vincent D. Castle Ridge, Avalon Peninsula 01N/04
Mineral License Held by Situates near On map sheet	013105M Oxford, Malcolm Victoria Lake, Central NL 12A/06 12A/05	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, 78/2006 and 8/2008 and outlined on 1:50 000 scale digital maps maintained by the Department of Natural Resources, will be open for staking after the hour of 9:00 a.m. on the 32 <sup>nd</sup> clear day after the date of this publication.	
Mineral License Held by Situates near On map sheet	013106M Turpin, Alec Rogers Cove, Central NL 02E/09	JIM HINCHEY P.Geo Manager - Mineral Rights	
Mineral License Held by Situates near On map sheet	013108M Rowsell, Gary Victoria Lake, Central NL 12A/05	File # 774:3810, 4199, 5214, 6763, 6765, 6773, 6775, 7735, 7928, 7936, 7953, 7954, 7955, 7957, 7958, 7959, 7960, 7961, 7962, 7963, 7965, 7967, 7968, 7969, 7970, 7971, 7972, 7973, 7981	
Mineral License Held by Situates near On map sheet	013110M Rowsell, Craig Victoria Lake, Central NL 12A/06 12A/05	May 30	
Mineral License Held by Situates near On map sheet	013111M Rowsell, Craig Victoria Lake, Central NL 12A/05	<b>URBAN AND RURAL PLANNING ACT</b>	
Mineral License Held by Situates near On map sheet	013112M Rowsell, Craig Victoria Lake, Central NL 12A/05	<b>NOTICE OF REGISTRATION TOWN OF RODDICKTON MUNICIPAL PLAN AMENDMENT NO. 9, 2007 AND DEVELOPMENT REGULATIONS AMENDMENT NO. 12, 2007</b>	
Mineral License Held by	013113M Rowsell, Craig	Take notice that the Town of Roddickton Municipal Plan Amendment No. 9, 2007 and Development Regulations Amendment No. 12, 2007 as adopted on the 17 <sup>th</sup> day of December, 2007 and approved on the 18 <sup>th</sup> day of February, 2008, have been registered by the Minister of Municipal Affairs.	
		In general terms the purpose of the Municipal Plan amendment and the Development Regulations amendment is to place the former A.C. Palmer School into the Commercial designation and zone in order to	

accommodate a mixture of facilities and services, including a youth centre, a “Buck or Two” store a mini-restaurant and other facilities and services, including a mini-putt facility.

The Municipal Plan Amendment No.9, 2007 and Development Regulations Amendment No. 12, 2007 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 Roddickton Municipal Plan Amendment No. 9, 2007 and Development Regulations Amendment No.12, 2007 may do so at the Roddickton Town Office during normal working hours.

TOWN OF RODDICKTON  
Arthur Locke, Town Manager

May 30

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**NOTICE OF REGISTRATION  
TOWN OF NORMAN’S COVE - LONG COVE  
MUNICIPAL PLAN AMENDMENTS  
NOS. 2 & 3, 2006 AND  
DEVELOPMENT REGULATIONS  
AMENDMENTS NOS. 2 AND 3, 2006**

Take notice that the Town of Norman’s Cove - Long Cove Municipal Plan Amendments Nos. 2 and 3, 2006 and Development Regulations Amendments Nos. 2 and 3, 2006, as adopted on the 23<sup>rd</sup> day of August, 2006 and approved on the 20<sup>th</sup> day of September, 2006, have been registered by the Minister of Municipal Affairs.

In general terms the purpose of the Municipal Plan and Development Regulations amendments are to allow additional residential development off Pumbly Cove Park Road and Long Subdivision Road and protect the Town’s water supply area around John Newhook’s Pond.

The Municipal Plan Amendments Nos. 2 and 3, 2006 and Development Regulations Amendments Nos. 2 and 3, 2006 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 Norman’s Cove - Long Cove Municipal Plan Amendments Nos. 2 and 3, 2006 and Development Regulations Amendments Nos. 2 and 3, 2006 may do so at the Norman’s Cove - Long Cove Town Office during normal working hours.

TOWN OF HUMBER ARM SOUTH  
Marion Evoy, Town Clerk

May 30

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**NOTICE OF REGISTRATION  
TOWN OF HUMBER ARM SOUTH  
DEVELOPMENT REGULATIONS  
AMENDMENT NO. 3, 2008**

Take notice that the Town of Humber Arm South Development Regulations Amendment No. 3, 2008 as adopted on the 8<sup>th</sup> day of April, 2008 has been registered by the Minister of Municipal Affairs.

The purpose of this amendment is to accommodate windmills, wind turbines and similar and related uses in the Rural Resource Zone as a discretionary use.

The Development Regulations Amendment No.3, 2008 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 Humber Arm South Development Regulations Amendment No. 3, 2008 may do so at the Humber Arm South Town Office during normal working hours.

TOWN OF HUMBER ARM SOUTH  
Marion Evoy, Town Clerk

May 30

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**NOTICE OF REGISTRATION  
TOWN OF SPRINGDALE  
MUNICIPAL PLAN AMENDMENT  
NO. 1, 2008 AND  
DEVELOPMENT REGULATIONS  
AMENDMENT NO. 1, 2008**

Take notice that the Town of Springdale Municipal Plan Amendment No. 1, 2008 and the Development Regulations Amendment No. 1, 2008 as adopted on the 11<sup>th</sup> day of February, 2008 and approved on the 10<sup>th</sup> day of March, 2008, have been registered by the Minister of Municipal Affairs.

In general terms, the purpose of the Municipal Plan amendment and the Development Regulations amendment is to allow for general industry and light industry as discretionary uses in the Town Centre Designation and Zone – provided that existing structures are used, there is adequate parking and offstreet loading facilities, and, the development is compatible with the residential, commercial and public uses of the Town Centre designation and zone.

The Municipal Plan Amendment No. 1, 2008 and Development Regulations Amendment No. 1, 2008 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 Springdale Municipal Plan Amendment No. 1, 2008 and Development Regulations Amendment No. 1, 2008 may do so at the Springdale Town Office during normal working hours.

TOWN OF SPRINGDALE  
Daphne Earle, Town Clerk/Manager

May 30

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**LANDS ACT  
NOTICE OF INTENT  
LANDS ACT, c36, SNL, 1991**

Notice is hereby given that Patrick Payne of Port Saunders, NL intends to apply to the Department of Environment and Conservation, two months from the publication of this Notice, to acquire title, pursuant to Section 7(2) of the said Act, to that piece of Crown Land

situated within fifteen (15) metres of the waters of Port Saunders Harbour, in the Electoral District of St. Barbe for the purpose of fishing block and shed and being more particularly described as follows:

*Bounded on the North by Residential Land  
for a distance of 50 m;  
Bounded on the East by Industrial-Commercial Land  
for a distance of 35 m;  
Bounded on the South by Port Saunders Harbour  
for a distance of 0 m;  
Bounded on the West by Industrial-Commercial Land  
for a distance of 15 m;  
and containing an area of  
approximately 15 square metres.*

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

For further information on the proposed application, please contact Town Office, Port Saunders, Telephone (709) 861-3105.

May30

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#### **TRUSTEE ACT**

##### **ESTATE NOTICE**

IN THE MATTER of the Estate and Effects of late DAVID WATTS HALLETT, of the Town of Gander, in the Province of Newfoundland and Labrador, Retired Electronics Technician, Deceased.

ALL persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of DAVID WATTS HALLETT, the aforesaid deceased, who died at the Town of Gander, in Province of Newfoundland and Labrador on or about the 12<sup>th</sup> day of April 2008, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned Solicitor for the Executors of the Estate on or before the 3<sup>rd</sup> day of June, 2008 after which date the Executors will proceed to distribute the said Estate having regard only to the claims of which they shall then have had notice.

DATED at the Town of Gander, Newfoundland and Labrador, this 13<sup>th</sup> day of May, 2008.

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

ADDRESS FOR SERVICE:  
P. O. Box 563, 218 Airport Boulevard  
Gander, NL A1V 2E1  
Tel: (709) 651-4949  
Fax: (709) 651-4951

May23 & 30

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##### **ESTATE NOTICE**

IN THE MATTER of the Estate and Effects of late LEO KENNETH MILLS, of the Town of Gander, in the Province of Newfoundland and Labrador, Retired Transport Driver, Deceased.

ALL persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of LEO KENNETH MILLS, the aforesaid deceased, who died at the Town of Gander, in Province of Newfoundland and Labrador on or about the 29<sup>th</sup> day of February 2008, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned Solicitor for the Executor of the Estate on or before the 3<sup>rd</sup> day of June, 2008 after which date the Executor will proceed to distribute the said Estate having regard only to the claims of which they shall then have had notice.

DATED at the Town of Gander, Newfoundland and Labrador, this 13<sup>th</sup> day of May, 2008.

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

##### **ADDRESS FOR SERVICE:**

P. O. Box 563, 218 Airport Boulevard  
Gander, NL A1V 2E1  
Tel: (709) 651-4949  
Fax: (709) 651-4951

May23 & 30

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##### **ESTATE NOTICE**

IN THE MATTER of the Estate of WILLIAM GERALD LUEDEE, late of the community of St. Andrew's in the District of St. George's and Stephenville East, in the Province of Newfoundland and Labrador, Canada Retired Construction Worker, Deceased.

ALL persons claiming to be creditors of or who have any claims or demands either as beneficiaries or next of kin (by blood, legal adoption or marriage) upon or affecting the Estate of WILLIAM GERALD LUEDEE, retired Construction Worker, deceased, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned solicitors for the Executrices of the Estate of the said deceased on or before the 30<sup>th</sup> day of June, 2008 after which date the said Executrices will proceed to distribute the Estate having regard only to the claims of which they then shall have had notice.

DATED at the Town of Channel-Port aux Basques, Newfoundland and Labrador, this 22<sup>nd</sup> day of May, 2008.

MARKS & PARSONS  
Solicitors for the Executrices  
PER: Andrew K. Parsons

THE NEWFOUNDLAND AND LABRADOR  
May 30, 2008

ADDRESS FOR SERVICE			2008-04-04	57857	Brookfield Plains Inc.
P.O. BOX 640, 3-9 Barhaven Drive			2008-04-06	57858	c2c theatre Inc.
Channel-Port aux Basques, NL A0M 1C0			2008-04-07	57876	57876 NEWFOUNDLAND & LABRADOR INC.
Tel: (709) 695-7338/7341			2008-04-07	57875	B AND H HOLDINGS LIMITED
Fax: (709) 695-3944			2008-04-07	57873	BRAD SPARKES HOLDINGS LIMITED
May 30			2008-04-07	57870	CANADIAN GLOBAL MARITIME DEVELOPERS INC
<b>CORPORATIONS ACT</b>			2008-04-07	57874	HARBOUR AUTHORITY OF PACQUET INC.
<i>Corporations Act - Section 393</i>			2008-04-07	57872	IDANCE SHAWN SILVER IRISH DANCING, INC.
<i>Local Incorporations</i>			2008-04-07	57869	JERRY'S CONVENIENCE STORE INC.
<i>For the Month of: April 2008</i>			2008-04-07	57871	THRUM ENERGY INC.
Date	Number	Company Name	2008-04-07	57868	WOODCREST ENTERPRISES INC.
2008-04-01	57829	57829 NEWFOUNDLAND AND LABRADOR LIMITED	2008-04-07	57866	SEACON SERVICES INC.
2008-04-01	57828	C AND S SNOWCLEARING LTD.	2008-04-08	57882	57882 NEWFOUNDLAND & LABRADOR INC.
2008-04-01	57831	CCR CONTRACTING INC.	2008-04-08	57887	LABRADOR COASTAL DRIVE TOURISM ASSOCIATION INCORPORATED
2008-04-01	57825	JUNIOR HOLDINGS LTD.	2008-04-08	57883	LBG HOLDINGS LIMITED
2008-04-01	57830	KENNEDY'S DISPOSAL SERVICES LTD.	2008-04-08	57885	ROCK MANUFACTURING INC
2008-04-01	57827	MEDICAL ENHANCEMENT SYSTEMS INC.	2008-04-08	57884	ROSYNERGY HOLDINGS INC.
2008-04-01	57826	NEWFOUNDLAND & LABRADOR BUSINESS COALITION INC.	2008-04-08	57886	ST. JACQUES COMMUNITY CENTER CORP
2008-04-01	57812	BBJ Development Inc.	2008-04-08	57881	THE FOGO ISLAND ARTS RESIDENCY CORPORATION
2008-04-01	57815	Beothuck Mining Ltd.	2008-04-08	57878	57878 NEWFOUNDLAND & LABRADOR INC.
2008-04-01	57822	Fermeuse Sea Products and Offloading Services Inc.	2008-04-08	57879	SPOR Offshore Inc.
2008-04-02	57845	57845 NEWFOUNDLAND & LABRADOR INC.	2008-04-09	57896	CAMCO PROPERTIES INC.
2008-04-02	57835	BURNSIDE COMMUNITY ASSOCIATION INC.	2008-04-09	57894	CORNER BROOK MECHANICAL CONTRACTORS INC.
2008-04-02	57836	TERRENCEVILLE COMMUNITY CENTER CORP.	2008-04-09	57895	PLATO GROUP (2008) INC.
2008-04-02	57832	Peckford Holdings Inc.	2008-04-09	57893	ROCK DRYWALL LIMITED
2008-04-02	57834	Burin Peninsula Environmental Reform Committee Inc.	2008-04-09	57888	Probuck Construction Inc.
2008-04-03	57848	57848 NEWFOUNDLAND AND LABRADOR LIMITED	2008-04-09	57889	LabWest Concrete & Equipment Inc.
2008-04-03	57850	AJAR AUTO SALES INC.	2008-04-10	57901	57901 NEWFOUNDLAND & LABRADOR INC.
2008-04-03	57853	CHARMED HAIR SALON INC.	2008-04-10	57902	BDL ENTERPRISES LIMITED
2008-04-03	57854	CMG INSURANCE BROKERS INC.	2008-04-10	57900	KCPM CONSULTING INC.
2008-04-03	57852	JNS IMPORTERS INC.	2008-04-10	57899	NFLD. REAL ESTATE INVESTMENT CORPORATION
2008-04-03	57851	M M & R CONSULTING INC.	2008-04-10	57897	OMEGA GLOBAL GURU INC.
2008-04-03	57849	MOVING VEHICLES SALES LTD.	2008-04-10	57898	DPO Broadcasting Inc.
2008-04-03	57847	NEWFOUNDLAND AND LABRADOR SPORTS CENTRE INC.	2008-04-11	57905	BAY OF ISLAND'S YOUTH JUSTICE COMMITTEE INC.
2008-04-03	57837	Rock Insurance Brokers, Inc.	2008-04-11	57906	COPASETIC BY PRODUCTIONS INC.
2008-04-03	57838	57838 NEWFOUNDLAND AND LABRADOR LIMITED	2008-04-11	57908	EAST COAST SPORT INC
2008-04-03	57839	Salem Holdings Inc.	2008-04-11	57907	NORTH WEST ARM ENTERPRISES LTD.
2008-04-03	57840	Visu Tech Limited	2008-04-11	57909	OLD TILT CONSTRUCTION INC
2008-04-04	57860	57860 NEWFOUNDLAND AND LABRADOR LIMITED	2008-04-11	57904	SHIPASHTUK INNU ENTERPRISE INC.
2008-04-04	57865	CROW HEAD CONSTRUCTION LTD	2008-04-11	57903	Quality Cabinetry & Carpentry Ltd.
2008-04-04	57863	DYNAMIC SOUNDS MUSIC STUDIO INC.			
2008-04-04	57864	NORTHERN FISHING SUPPLIES LIMITED			

THE NEWFOUNDLAND AND LABRADOR  
May 30, 2008

2008-04-14	57915	HARBOUR AUTHORITY OF GARDEN COVE INC	2008-04-23	57974	CHASE HOLDINGS LIMITED
2008-04-14	57916	MERCER'S PAINTING & DECORATING INC.	2008-04-23	57973	COMMUNITY OF HEARTS FELLOWSHIP INC.
2008-04-14	57912	NORTHEAST ELECTRIC LTD.	2008-04-23	57969	57969 NEWFOUNDLAND & LABRADOR CORPORATION
2008-04-14	57913	TASTE EAST INC.	2008-04-23	57970	N & J Contracting Inc
2008-04-14	57914	VHL ENTERPRISES INC.	2008-04-24	57986	J.O.B. CONTRACTING LTD.
2008-04-15	57911	Total Coverage Fire Protection Inc.	2008-04-24	57987	NEWLAB RESTAURANT & JANITORIAL SUPPLIES INC.
2008-04-15	57917	Podium Digital Media Inc.	2008-04-24	57984	NORTH EAST AVALON ARENA
2008-04-16	57929	LI SUPPLIES LTD.	2008-04-24	57982	REGIONAL BOARD INC.
2008-04-16	57931	STRAIGHTLINE CONSTRUCTION LTD.	2008-04-24	57971	RIVER OF ROSES LOUNGE INCORPORATED
2008-04-16	57930	STRAIGHTLINE LEASING CORP.	2008-04-24	57971	57971 NEWFOUNDLAND & LABRADOR INC.
2008-04-16	57933	T.G.K. CONSTRUCTION LTD.	2008-04-24	57980	Birchy Enterprises Inc.
2008-04-16	57928	TECHNOLOGY FOR PEOPLE GROUP INC.	2008-04-25	57992	57992 NEWFOUNDLAND AND LABRADOR LIMITED
2008-04-16	57932	XTREME RENOS & CONSTRUCTION LTD.	2008-04-25	57990	BROTHERS TWO FISHERIES LTD.
2008-04-16	57921	EASTERN EDGE VACATION RENTALS LTD	2008-04-25	57993	EAGLERIDGE RESOURCES INC.
2008-04-16	57922	Red Rocket Amusements, Ltd.	2008-04-25	57991	QUALITY PAVING AND LANDSCAPING LIMITED
2008-04-16	57925	DOWNEAST CONTRACTING LTD	2008-04-25	57989	X-ACT WELL SOLUTIONS INC.
2008-04-16	57926	Deer Lake Self Storage Inc.	2008-04-25	57988	Double B Investments Ltd.
2008-04-16	57927	Griffin Equity Trading Group Inc.	2008-04-28	57998	AAZY CONSTRUCTION INC.
2008-04-17	57936	FRESHWATER CONVENIENCE CAFE & DELI LTD.	2008-04-28	57996	PETROFORMA INC.
2008-04-17	57937	JEROME POWER CONSULTING LTD.	2008-04-28	57997	SHATSHAMEU BITING FLY MANAGEMENT INC.
2008-04-17	57939	OPTIMUM RISK MANAGEMENT INC.	2008-04-28	57995	THE MUSIC ROOM & SEWING NOOK INC.
2008-04-17	57938	PORTECO VENTURES LTD.	2008-04-29	58008	58008 NEWFOUNDLAND AND LABRADOR LIMITED
2008-04-18	57948	57948 NEWFOUNDLAND & LABRADOR INC	2008-04-29	58010	A & D GREENHOUSE LIMITED
2008-04-18	57951	BIG DADDY'S TRUCKS AND TOYS INC	2008-04-29	58009	ENVIRONMENTAL IDEAS INC.
2008-04-18	57952	FISH 24 7 INTERNATIONAL LTD.	2008-04-29	57999	C & R Heritage Ltd.
2008-04-18	57950	KILBRIDE AUTO SERVICES LTD.	2008-04-29	58000	kitchen party tours ltd.
2008-04-18	57947	N & W CONSTRUCTION LTD.	2008-04-29	58006	Glenn Decker Contracting Ltd.
2008-04-18	57949	RWL HOLDINGS LIMITED	2008-04-30	58015	58015 NEWFOUNDLAND & LABRADOR INC.
2008-04-18	57940	Cobra Construction and Development Ltd.	2008-04-30	58016	58016 NEWFOUNDLAND & LABRADOR INC.
2008-04-18	57941	Dish It Out Catering Inc.	2008-04-30	58017	58017 NEWFOUNDLAND & LABRADOR INC.
2008-04-18	57942	M & S Discount Foods Ltd.	2008-04-30	58018	58018 NEWFOUNDLAND & LABRADOR INC.
2008-04-19	57945	Coffee in Paradise Inc.	2008-04-30	58019	58019 NEWFOUNDLAND AND LABRADOR LIMITED
2008-04-21	57946	Morgan's Custom Autos & Property Inc.	2008-04-30	58022	ARCTIC CATCH INC.
2008-04-22	57958	57958 NEWFOUNDLAND AND LABRADOR INC.	2008-04-30	58020	BNB MOREY FISHERIES LTD.
2008-04-22	57962	57962 NEWFOUNDLAND AND LABRADOR LIMITED	2008-04-30	58024	INDUSTRIAL ELECTRICAL & HEAT TREATMENT SERVICES INCORPORATED
2008-04-22	57959	M & L DEVELOPING INC.	2008-04-30	58021	R. I. CONSTRUCTION LTD.
2008-04-22	57961	NAVILLUS TRUSS DESIGN INC.	2008-04-30	58023	TNC INSPECTION INC.
2008-04-22	57960	NEWFOUNDLAND VIDEO CONFERENCE INC.	2008-04-30	58011	MI-Visul Inspection Ltd.
2008-04-22	57957	SANDY LAKE LODGE OUTFITTERS LIMITED	2008-04-30	58012	K & R Express Ltd
2008-04-22	57963	TLC HOLDINGS INC.	Total Incorporations: 152		
2008-04-22	57956	Western Newfoundland Equestrian Club Inc.			
2008-04-23	57972	57972 NEWFOUNDLAND AND LABRADOR INC.	Corporations Act - Section 331 Local Revivals For the Month of: April 2008		
2008-04-23	57977	BURGEO ALTERNATIVE MEASURES INC.			
			Date	Number	Company Name
			2008-04-01	36337	New Ground Holdings Ltd.
			2008-04-01	42593	Shadan Enterprises Ltd.
			2008-04-03	26309	PROTECTED AREAS ASSOCIATION INC.

THE NEWFOUNDLAND AND LABRADOR  
May 30, 2008

2008-04-04	6225	MUSGRAVETOWN DRUGS LIMITED	2008-04-16	37511	B.A.D.S. Fisheries Ltd.
2008-04-07	2572	RIVERDALE TENNIS CLUB	2008-04-16	15568	Bostev Development Limited
2008-04-09	34324	ELIZABETH GUEST HOME LIMITED	2008-04-16	57162	FPR HOLDINGS LIMITED
2008-04-11	28417	Wesleyville Cabot Lions Club	2008-04-18	37938	LABRADOR METAL WORKS INC..
2008-04-14	34079	GARDEN COVE FISHERMEN'S COMMITTEE INCORPORATED	2008-04-18	51172	QUALITY TECH. CONSULTANTS LTD.
2008-04-22	23334	Athens Property Management Limited	2008-04-18	36435	VIKING TRAIL OUTFITTERS LTD.
2008-04-23	32640	All Cycle Essentials Limited	2008-04-22	23334	Athens Property Management Limited
2008-04-24	43452	C & G Trucking Ltd.	2008-04-22	15013	K. ROY SMITH ENTERPRISES LIMITED
2008-04-24	15795	Sinnott Agencies Limited	2008-04-22	56321	NOVA ENVIRONMENTAL COATINGS LTD.
2008-04-28	22274	WAVE DISTRIBUTING LIMITED	2008-04-22	41911	SEA PRIDE II LIMITED
2008-04-30	25389	H.W. Holdings Limited	2008-04-22	38481	STEELFAB CONTRACTING LTD.
Total Revivals: 14			2008-04-22	44782	TLC NURSING AND HOME CARE SERVICES LIMITED
<i>Corporations Act - Section 286</i>			2008-04-22	13368	Warren's Electric Ltd.
Local Amendments			2008-04-23	54124	47 NORTH INVESTMENTS INC.
For the Month of: April 2008			2008-04-23	32640	All Cycle Essentials Limited
Date	Number	Company Name	2008-04-23	41597	ELIZABETH LYNN FISHERIES INC.
2008-04-01	31805	Clarenville Ford Sales Limited	2008-04-24	42738	Tumblehome Recreational Canoe Club Inc.
2008-04-01	57792	EDWARDS REHAB CONSULTING INC.	2008-04-24	15815	Vardy Holdings Limited
2008-04-01	9654	Lewisporte Shopping Centre Limited	2008-04-28	8476	Bay Roberts Shopping Centre Limited
2008-04-01	36337	New Ground Holdings Ltd.	2008-04-28	12631	Deer Lake Shopping Centre Limited
2008-04-02	16587	Elizabeth Properties Limited	2008-04-29	56283	BRA-KIM CONSULTING INC.
2008-04-02	54209	GRAY AQUA GROUP LTD.	2008-04-29	35642	Canship Ugland Ltd.
2008-04-02	45541	INDEPENDENT FISH HARVESTERS INC.	2008-04-29	48647	CENTUM SUPERIOR MORTGAGES CORPORATION
2008-04-02	56982	MY SPACE STORAGE + BUSINESS SUITES LTD.	2008-04-29	25860	ECLIPSE STORES INC.
2008-04-02	8532	Urban Contracting (J. J. Walsh) Limited	2008-04-30	57344	ARUNDEL PROPERTIES LIMITED
2008-04-03	53096	DR. JACOBUS C. MARITZ PROFESSIONAL MEDICAL CORPORATION	2008-04-30	52519	DR. MPIANA PMC INC.
2008-04-03	50067	FOURMAX VENTURES CORPORATION	2008-04-30	56796	DR. NEIL POWER DENTAL SERVICES INC.
2008-04-03	50832	SCANMUDRING CANADA INC.	2008-04-30	52520	MPIANA HOLDINGS LIMITED
2008-04-03	34564	Sealan Capital Corporation Inc.	2008-04-30	17059	OUTDOORS (1983) LIMITED
2008-04-04	40330	10689 NFLD. Inc.	2008-04-30	45490	Ptarmigan Resources Ltd.
2008-04-04	6225	MUSGRAVETOWN DRUGS LIMITED	2008-04-30	49873	SEAWAY ENTERPRISE INC.
2008-04-07	2572	RIVERDALE TENNIS CLUB	Total Amendments: 64		
2008-04-08	19068	Seagull Construction Limited	<i>Corporations Act - Section 335</i>		
2008-04-09	14244	Bert Hayden Limited	Local Dissolutions		
2008-04-09	53944	CMT Apothecary Ltd.	For the Month of: April 2008		
2008-04-09	13016	E and M Bookkeeping Limited	Date	Number	Company Name
2008-04-09	34324	ELIZABETH GUEST HOME LIMITED	2008-04-01	57387	XR INTERNATIONAL TRADE INC.
2008-04-09	12500	SILVER SCISSORS UNISEX SALON LIMITED	2008-04-03	40511	ANDREW GRANT ASSOCIATES LIMITED
2008-04-10	39133	Beothuk Institute Inc.	2008-04-03	13252	MULLETT HOLDINGS LIMITED
2008-04-11	28245	School Milk Foundation of Newfoundland and Labrador Inc.	2008-04-04	47587	Improving technology Inc.
2008-04-11	31443	TWIN RIVERS GOLF INC.	2008-04-04	17684	Smith Courier Service Limited
2008-04-14	51572	A&R Mechanical Inc.	2008-04-08	54235	ARTS & DESIGN LTD.
2008-04-14	11013	Burry's Marine Division Limited	2008-04-08	31273	Elite Enterprises Inc.
2008-04-15	57610	DIGGER'S NEW HOME CONSTRUCTION LTD.	2008-04-09	37010	Cantick Quoin Marketing Inc.
2008-04-15	8710	Hann Construction Limited	2008-04-09	2973	Shears Investments Limited
2008-04-15	52036	MCEACHREN HOLDINGS INC.	2008-04-10	47945	PAINT'N CLAY INC.
2008-04-15	40697	Totally Tubular Inc.	2008-04-11	52855	ADAM G. MORGAN BILLIARDS LTD.
2008-04-15	11417	WAY POINTS INC.	2008-04-11	53557	CC IMPORTS LTD.
2008-04-16	56242	ATLANTIC WASTE MANAGEMENT LTD.	2008-04-11	40031	Fabric World Inc
			2008-04-11	16811	Ruby's Used Cars Limited

THE NEWFOUNDLAND AND LABRADOR  
May 30, 2008

2008-04-11	51153	THURLES LIMITED	56982		MY SPACE STORAGE +
2008-04-14	47644	Athena Shipping Lines Ltd.			BUSINESS SUITES LTD.
2008-04-14	17223	Carmanville Variety Limited	2008-04-02	From:	SECURE SELF STORAGE
2008-04-14	45238	LABRADOR SNOW EXPRESS			LIMITED
		INC.	50832		SCANMUDRING CANADA INC.
2008-04-17	50047	JOE MASTERS & SONS LTD.	2008-04-03	From:	PRO-DIVE SCANMUDRING INC.
2008-04-17	57309	MACLEAN SAFETY SERVICES	52036		MCEACHREN HOLDINGS INC.
		INC.	2008-04-15	From:	MURPHY & MCEACHREN
2008-04-18	39778	BAYVIEW AUTOMOTIVE			HOLDINGS INC.
		REPAIRS AND SERVICES LTD	56242		ATLANTIC WASTE
2008-04-18	34612	Economy Cabinet Doors Ltd.			MANAGEMENT LTD.
2008-04-18	15553	Memory Lane Bowling Ltd.	2008-04-16	From:	LEWAY WASTE
2008-04-22	8406	Howlett Enterprises Limited			MANAGEMENT LTD.
2008-04-24	46357	KC Consulting Inc.	57162		FPR HOLDINGS LIMITED
2008-04-25	7992	ADAMS CONSTRUCTION (1975)	2008-04-16	From:	FISHERY PRODUCTS
		LIMITED			INTERNATIONAL LIMITED
2008-04-29	46545	ACCESS COMMUNICATIONS	56321		NOVA ENVIRONMENTAL
		INC			COATINGS LTD.
2008-04-29	21207	Baker's Gas Bar Limited	2008-04-22	From:	UNIFIED COATING SYSTEMS
2008-04-29	48075	Calixte Environmental			LTD.
		Management, Inc.	38481		STEELFAB CONTRACTING
2008-04-29	33611	E. PIKE & SONS TRANSPORT			LTD.
		LTD.	2008-04-22	From:	P2 SYSTEMS INC.
2008-04-29	43298	Millennium Venture Ltd.	54124		47 NORTH INVESTMENTS INC.
2008-04-30	33679	Trinity Enterprises Limited	2008-04-23	From:	LEXATLANTIC PLC LIMITED
			56283		BRA-KIM CONSULTING INC.
Total Dissolutions: 32			2008-04-29	From:	NL CONSULTING AND RENTAL
					VENTURES INC.
		<i>Corporations Act - Section 299</i>	56796		DR. NEIL POWER DENTAL
		Local Discontinuances			SERVICES INC.
		For the Month of: April 2008	2008-04-30	From:	DOBBIN POWER HOLDINGS
					INCORPORATED

Date	Number	Company Name
2008-04-04	33104	10320 Newfoundland Inc.
2008-04-22	51486	TERRA NOVA SHOES LIMITED

Total Name Changes: 11

Total Discontinuances: 2

*Corporations Act - Section 443*  
Extra-Provincial Registrations  
For the Month of: April 2008

		<i>Corporations Act - Section 294</i>			
		Local Amalgamations			
		For the Month of: April 2008			
Date	Number	Company Name	Date	Number	Company Name
2008-04-01	57824	L D FISHERIES LTD.	2008-04-02	57844	COMMUNITYLEND INC.
From:	43252	L D FISHERIES LTD.	2008-04-02	57843	JAGUAR LAND ROVER
	25366	S. & T. ENTERPRISES LIMITED			CANADA ULC
2008-04-01	57833	NEW WAVE ENTERPRISES	2008-04-02	57842	TENNANT SALES AND
		LTD.			SERVICE COMPANY
From:	40188	Eastern Fish Harvesters Ltd.	2008-04-02	57841	WADE-TEK ELECTRIC INC.
	53586	NEW WAVE ENTERPRISES	2008-04-03	57855	RENOWN SPECIALTIES
		LTD.			COMPANY LTD.
			2008-04-04	57867	DBNL HOLDINGS LIMITED
			2008-04-04	57861	DBNS HOLDINGS LIMITED
			2008-04-04	57862	THOMAS P. MCQUILLAN
					INSURANCE LIMITED
2008-04-30	58028	B G M ENTERPRISES LTD.	2008-04-04	57859	WOLVERTON SECURITIES
From:	34431	B G M Enterprises Ltd.			LTD.
	35322	Sacreys's Enterprise Inc.	2008-04-09	57890	3D HELICOPTERS INC.
			2008-04-09	57892	COACTIV CAPITAL PARTNERS
					CANADA INC.
Total Amalgamations: 3					PARTENAIRES EN CAPITAL
					COACTIV CANADA INC.
		<i>Corporations Act - Section 286</i>	2008-04-09	57891	LONG HARBOUR HOLDINGS
		Local Name Changes			INC.
		For the Month of: April 2008	2008-04-11	57910	NEXUS CANADA INC.
			2008-04-15	57919	1245929 ALBERTA LTD.
Number		Company Name	2008-04-15	57920	BEOTHIC SEAFOODS INC.
57792		EDWARDS REHAB	2008-04-15	57923	ISAGENIX CANADA, ULC
		CONSULTING INC.	2008-04-15	57924	RED EARTH DISTRIBUTION
2008-04-01	From:	EDWARDS REHAB			CORPORATION INC.
		CONSULTANTS INC.			SOCIÉTÉ DE DISTRIBUTION
					RED EARTH INC.
			2008-04-16	57934	MINUTE CORPORATION



THE NEWFOUNDLAND AND LABRADOR  
May 30, 2008

2008-04-16	57935	STONE 2008 FLOW-THROUGH GP INC.				<i>Corporations Act - Section 294</i>
2008-04-17	57943	APOLLO MAGAZINE SERVICE INC.				Extra-Provincial Registrations for Amalgamation
2008-04-17	57944	STOKES INC.				For the Month of: April 2008
2008-04-18	57955	BIG ROCK BREWERY OPERATIONS CORP.	Date	Number	Company Name	
2008-04-18	57953	EASTSIDE 2008 EQUITIES INC.	2008-04-02	57846	DEALERTRACK CANADA, INC.	
2008-04-18	57954	MOD-U-FORM ATLANTIC INC.	From:	5978F	DEALERTRACK CANADA, INC.	
2008-04-22	57965	ACE (ATLANTIC CANADA EXPERT) INSULATORS LTD.	2008-04-03	57856	GRAND & TOY LIMITED/GRAND & TOY LIMITÉE	
2008-04-22	57968	GLENTEL INC.	From:	5358F	GRAND & TOY LIMITED	
2008-04-22	57967	NESEL FAST FREIGHT INCORPORATED	2008-04-07	57877	GRAND & TOY LIMITEE	
2008-04-22	57964	OCEAN SPRAY AGRICULTURE SUPPLY CANADA CORP.	From:	55763	BARRY GROUP INC.	
2008-04-23	57975	FUSION BPO SERVICES LIMITED	2008-04-08	57880	BARRY GROUP INC.	
2008-04-23	57979	HAMILTON SOUND CONSTRUCTION LTD.			RTD QUALITY SERVICES INC./RTD, SERVICES DE QUALITE INC.	
2008-04-23	57976	PATHWAY OIL & GAS 2008 INC.	From:	3142D	RTD QUALITY SERVICES INC.	
2008-04-23	57978	SOCIÉTÉ GÉNÉRALE VALEURS MOBILIÈRES INC.	2008-04-11	57587	RTD, SERVICES DE QUALITE INC.	
		SOCIÉTÉ GÉNÉRALE SECURITIES INC.	From:	51789	EARTHFIRST CANADA INC.	
2008-04-24	57981	NORTHERN POWER SYSTEMS, INC.	2008-04-22	57966	BONAVISTA WIND POWER INC.	
2008-04-24	57983	SMS EQUIPMENT INC./EQUIPEMENT SMS INC.			ASSA ABLOY OF CANADA LTD.	
2008-04-24	57985	VEINOT, MORIN AND ASSOCIATES INC.	From:	52176	ASSA ABLOY DU CANADA LTÉE	
2008-04-28	58003	4446372 CANADA INC.			ASSA ABLOY OF CANADA LTD.	
2008-04-28	58002	6932819 CANADA INC.	2008-04-25	57994	ASSA ABLOY DU CANADA LTEE	
2008-04-28	58005	CARDIF ASSURANCE VIE	From:	2812D	BLACK & DECKER CANADA INC.	
2008-04-28	58004	CARDIF-ASSURANCES			BLACK & DECKER CANADA INC.	
2008-04-28	58001	RISQUES DIVERS	2008-04-30	58014	THE CASH STORE INC.	
		LAYNE CHRISTENSEN CANADA LIMITED	From:	6551F	INSTA-RENT CORPORATION	
2008-04-29	58007	AUCOIN PROJECT CONTROLS SERVICES LTD.		6423F	THE CASH STORE INC.	
2008-04-30	58013	GETMAN CANADA LTD.				

Total Registrations for Amalgamation: 8

Total Registrations: 42

DOUG LAING  
Registrar of Companies

*Corporations Act - Section 451*  
Extra-Provincial Name Changes  
For the Month of: April 2008

May30

Number		Company Name
6785F		AKTIV KAPITAL CONTINGENCY INC.
2008-04-03	From:	PORTFOLIO MANAGEMENT SOLUTIONS INC.
57280		HARD-ROCK MINERAL DEVELOPMENT INC.
2008-04-09	From:	6860711 CANADA INC.
50562		AKTIV KAPITAL ACQUISITIONS INC.
2008-04-16	From:	PORTFOLIO MANAGEMENT CANADA INC.
56002		4385021 CANADA INC.
2008-04-17	From:	FYI EYE CARE SERVICES AND PRODUCTS INC.
54122		ELAVON CANADA COMPANY
2008-04-22	From:	CANADACONEX COMPANY
57934		MINUTE CORPORATION
2008-04-23	From:	2169419 ONTARIO LIMITED

Total Name Changes: 6

## 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:-

ASHLEY RICE

of 15 Brophy Place, St. John's, A1B 3Y2, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

OLIVIA MEATTA MARSHALL

to

OLIVIA MEATTA RICE

DATED this 20<sup>th</sup> day of May, 2008.

ASHLEY RICE

(Signature of Applicant)

MAY 30

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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:-

JOSEPH MAXWELL MILLER

of P.O. Box 3182, RR#2, Corner Brook, A2H 6B9 in the Province of Newfoundland and Labrador, as follows:

To change my name from

JOSEPH MAXWELL MILLER

to

JOSEPH MAXWELL MAY

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

JOSEPH MAXWELL MILLER

(Signature of Applicant)

May 30

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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, MAY 30, 2008

No. 22

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### NEWFOUNDLAND AND LABRADOR REGULATIONS

#### CORRECTION NOTICE re: NLR 27/08

NLR 28/08

NLR 29/08

NLR 30/08

NLR 31/08

NLR 32/08

### **CORRECTION NOTICE**

The May 23<sup>rd</sup>, 2008 edition of *The Newfoundland and Labrador Gazette*, Part II, NLR 27/08, had the incorrect date in the footer. It should have read “*May 23, 2008*”



## **NEWFOUNDLAND AND LABRADOR REGULATION 28/08**

*Teacher Certification Regulations (Amendment)*  
under the  
*Teacher Training Act*  
(O.C. 2008-129)

*(Filed May 23, 2008)*

Under the authority of section 11 of the *Teacher Training Act*, the Teachers' Certification Committee, with the approval of the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, May 22, 2008.

Rob Parsons  
Secretary  
Teachers' Certification Committee

Gary Norris  
Clerk of the Executive Council

### **REGULATIONS**

#### *Analysis*

- |                                                |                                         |
|------------------------------------------------|-----------------------------------------|
| 1. S.3 Amdt.<br>Initial certificate or licence | 2. S.4 Amdt.<br>Certificate and licence |
|------------------------------------------------|-----------------------------------------|

- |                      |                  |
|----------------------|------------------|
| 3. S.9.1 Added       | pathologists     |
| Upgrading compliance | 14.1 Educational |
| 4. S.14 R&S          | psychologists    |
| 14. Speech language  |                  |

CNLR 1134/96  
as amended

**1. Subsection 3(2) of the *Teacher Certification Regulations* is repealed.**

**2. Subsection 4(5) of the regulations is repealed.**

**3. The regulations are amended by adding immediately after section 9 the following:**

Upgrading compli-  
ance

**9.1** A teacher who wishes to acquire qualifications in order to qualify for a higher classification of teaching certificate or licence under the Act and these regulations shall comply with the requirements of the schedule attached to these regulations.

**4. Section 14 of the regulations is repealed and the following substituted:**

Speech language  
pathologists

**14.** (1) A level VI certificate, endorsed "Speech Language Pathologist" may be issued to an applicant who has completed an approved Master's degree in speech-language pathology.

(2) A level VII certificate, endorsed "Speech Language Pathologist" may be issued to an applicant who has satisfied the requirements of subsection (1) and has completed 8 additional graduate courses approved by the registrar or has completed an approved doctoral degree program.

Educational psy-  
chologists

**14.1** A level VI certificate, endorsed "Educational Psychologist" may be issued to an applicant who has completed a Master's degree and who is a psychologist registered under section 10 of the *Psychologists Act, 2005*.

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## NEWFOUNDLAND AND LABRADOR REGULATION 29/08

*Pension Benefits Act Regulations (Amendment)*  
under the  
*Pension Benefits Act, 1997*  
(O.C. 2008-136)

*(Filed May 26, 2008)*

Under the authority of section 78 of the *Pension Benefits Act, 1997*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, May 21, 2008.

Gary Norris  
Clerk of the Executive Council

### REGULATIONS

#### *Analysis*

- |                                                                          |                 |
|--------------------------------------------------------------------------|-----------------|
| 1. S.7.1 Added<br>Solvency funding exemption<br>for multi-employer plans | 2. Commencement |
|--------------------------------------------------------------------------|-----------------|

NLR 114/96  
as amended

**1. The *Pensions Benefits Act Regulations* is amended by adding immediately after section 7 the following:**

Solvency funding  
exemption for  
multi-employer  
plans

**7.1** (1) An administrator of a multi-employer pension plan may elect that subsections (3) to (7), instead of subsections 7(1) to (4), apply to a

report filed under sections 5, 6, 11 and 12 where the valuation date of the report is between December 31, 2007 and December 31, 2010.

(2) An administrator of a multi-employer plan may make an election under subsection (1) only once.

(3) The required contributions to a multi-employer pension plan are sufficient if, for each year of the period covered by the report, they are not less than the sum of the following amounts determined under a going concern valuation:

- (a) the normal cost of the plan;
- (b) the special payments set out in a previous report that remain to be paid with respect to any going concern unfunded liability; and
- (c) the special payments to be paid with respect to a going concern unfunded liability that is determined in the report.

(4) Within 60 days after electing to have this section apply to a report filed under sections 5, 6, 11 and 12, the administrator of a multi-employer pension plan shall give written notice of the election to each member and former member of the plan.

(5) The written notice required by subsection (4) shall contain all the following information:

- (a) the name and provincial registration number of the multi-employer pension plan;
- (b) the name and contact of the administrator;
- (c) the transfer ratio of the plan and, where the plan is amended to increase benefits, the transfer ratio before and after the amendment, effective on the valuation date of the report; and
- (d) an explanation of how the security of pension benefits for members and former members might be affected as a result of the election made under this section.

(6) Within 60 days after filing a report to which this section applies, an administrator shall



- (a) file a copy of the notice required by subsection (4) with the superintendent; and
- (b) give a copy of the notice required by subsection (4) to every employer who makes contributions to a multi-employer pension plan and to every bargaining agent who represents members of the plan.

(7) In addition to the requirements of subsection (6), an administrator who files a report to which this section applies shall give a copy of the notice required by subsection (4) to each person who, after the report is filed and before the next report is filed, will be eligible or is required to become a member of the multi-employer pension plan, and the notice shall accompany the information required to be given to the person under subsection 25(1) of the Act.

Commencement

**2. These regulations are considered to have come into force on December 31, 2007.**

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## NEWFOUNDLAND AND LABRADOR REGULATION 30/08

*Solvency Funding Relief Regulations*  
under the  
*Pension Benefits Act, 1997*  
(O.C. 2008-137)

*(Filed May 26, 2008)*

Under the authority of section 78 of the *Pension Benefits Act, 1997*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, May 21, 2008

Gary Norris  
Clerk of the Executive Council

### REGULATIONS

#### *Analysis*

1. Short title
2. Interpretation
3. Application
4. Non-application
5. Filing date application

#### PART I NEW 5 YEAR FUNDING

6. General funding rules

#### PART II NEW 10 YEAR FUNDING

7. General funding rules
8. Information to be provided
9. Documents etc. to be filed
10. New solvency deficiency
11. Termination of plan
12. Ceasing 10 year funding
13. Calculating surplus
14. Plan with surplus

- |                                                    |                                                           |
|----------------------------------------------------|-----------------------------------------------------------|
| 15. Plan without surplus                           | 20. Trust agreement                                       |
| PART III                                           | 21. Documents etc. to be filed                            |
| 10 YEAR FUNDING WITH                               | 22. Statement to members                                  |
| LETTERS OF CREDIT                                  | 23. Reduction of the face<br>amount of a letter of credit |
| 16. General funding rules                          | 24. New solvency deficiency                               |
| 17. Letter of credit                               | 25. Failure to pay letter of credit                       |
| 18. When letter of credit not<br>required          | 26. Occurrence of default                                 |
| 19. Where face amount less than<br>amount required | 27. Ceasing 10 year funding                               |
|                                                    | 28. Repeal                                                |
|                                                    | 29. Commencement                                          |

Short title

**1.** These Regulations may be cited as the *Solvency Funding Relief Regulations*.

Interpretation

**2.** (1) In these Regulations,

(a) "acceptable rating" means the rating given by a credit rating agency to an issuer at the time of the issuance or renewal of a letter of credit that is at least equal to one of the following ratings:

(i) A, from Dominion Bond Rating Service Limited,

(ii) A, from Fitch Ratings,

(iii) A2, from Moody's Investors Service, or

(iv) A, from Standard & Poor's Ratings Services;

(b) "Act" means the *Pension Benefits Act, 1997*;

(c) "bank" means a bank or authorized foreign bank within the meaning of section 2 of the *Bank Act* (Canada);

(d) "credit union" means a credit union to which the *Credit Union Act* applies or a cooperative credit society or credit union incorporated and regulated by or under an Act of Canada or another province;

(e) "default" means the occurrence of one of the following:

(i) the written notification to the superintendent that the administrator intends to terminate or wind up the whole plan under subsection 60(1) of the Act,

- (ii) the amendment of the plan, resolution by the employer or coming into force of any other measure that effects the termination of the whole plan,
- (iii) the superintendent's declaration under subsection 59(1) of the Act that terminates the whole plan,
- (iv) the filing of any application or petition by the employer, or against the employer, under the *Companies' Creditors Arrangement Act* (Canada), the *Bankruptcy and Insolvency Act* (Canada) or the *Winding-up and Restructuring Act* (Canada),
- (v) the termination of the whole plan,
- (vi) the non-renewal of a letter of credit referred to in Part III for its full face amount unless
  - (A) it has been replaced by another letter of credit for the same face amount at least 30 days before the beginning of the following plan year,
  - (B) an amount equal to the face amount of the letter of credit has been remitted to the pension fund at least 30 days before the beginning of the following plan year, or
  - (C) the face amount has been reduced in accordance with section 23, or
- (vii) the failure by an employer to comply with a direction issued by the superintendent under section 11 of the Act with respect to the face amount of the letters of credit required by subsection 16(2);
- (f) "holder" means a trust company that is licensed to carry on business in Canada and that has entered into a trust agreement with the employer or, if the employer is not the administrator, with the employer and the administrator;
- (g) "initial solvency deficiency" means the solvency deficiency of a plan that emerged on the date on which the valuation that identified the deficiency was performed, as reported in

an actuarial report filed with the Superintendent of Pensions that values the plan as of a date between January 1, 2007 to January 1, 2009;

- (h) "issuer" means a bank or credit union that has an acceptable rating and that is not the employer or affiliated with the employer within the meaning of subsection 2(2) of the *Canada Business Corporations Act*; and
- (i) "special payment" means a payment or one of a series of payments that is determined in accordance with section 12 of the *Pension Benefits Act Regulations*, or section 6, 7 or 16 of these Regulations.

(2) Except as otherwise provided, expressions used in these Regulations have the same meaning as in the *Pension Benefits Act Regulations*.

Application

**3.** (1) These Regulations apply to the funding of a defined benefit plan and, except as otherwise provided, the *Pension Benefits Act Regulations* also apply to the funding of a plan under these Regulations.

(2) For the purposes of these Regulations, an initial solvency deficiency shall be calculated in accordance with the solvency deficiency in section 11 of the *Pension Benefits Act Regulations*, except that

- (a) the present value of any special payment referred to in subparagraphs 11(c)(ii), (iii) and (iv) of the *Pension Benefits Act Regulations* calculated in respect of the funding of a solvency deficiency that emerged before the emergence of the initial solvency deficiency shall be zero; and
- (b) for the purposes of Parts II and III, that definition shall be interpreted as including the present value of the special payments calculated with respect to an initial unfunded liability that are due in the next 10 years.

(3) For the purposes of these Regulations, any special payment that would have been required to be made under paragraph 12(3)(d) of the *Pension Benefits Act Regulations*, with respect to the funding of a solvency deficiency that emerged before the emergence of the initial solvency deficiency is not required to be made.

(4) In the case of an inconsistency between these Regulations and the *Pension Benefits Act Regulations*, these Regulations shall prevail.

Non-application

**4. These Regulations do not apply to**

(a) a plan that is established after January 1, 2007 unless the plan is formed as a result of a merger of plans one or more of which was established before January 1, 2007 or is formed as a result of a splitting of a plan that was established before January 1, 2007; or

(b) a plan defined as a multi-employer pension plan under the *Pensions Benefits Act, 1997*.

Filing date application

**5. (1)** Plans may only be funded under these Regulations if all of the payments that are owed to the pension fund before the day on which the initial solvency deficiency emerges, as required by section 8 of the *Pension Benefits Act Regulations*, have been made as of the filing date of the actuarial report that shows the emergence of that initial solvency deficiency.

(2) Notwithstanding section 12 of the *Pension Benefits Act Regulations*, the funding of a plan shall be considered to meet the standards for solvency if the funding is in accordance with Part I, II or III of these Regulations.

**PART I  
NEW 5 YEAR FUNDING**

General funding rules

**6. (1)** Notwithstanding paragraph 12(3)(d) of the *Pension Benefits Act Regulations*, an initial solvency deficiency of a plan may be funded by special payments sufficient to liquidate the initial solvency deficiency by equal annual payments over a period not exceeding 5 years from the day on which the initial solvency deficiency emerged.

(2) Where the initial solvency deficiency is funded in accordance with this Part, the administrator of the plan shall notify the superintendent in writing at the time of filing of an actuarial report after the coming into force of these Regulations.

(3) Where a solvency deficiency emerges after the day on which the initial solvency deficiency emerged, the new solvency deficiency

shall be calculated, for the purpose of paragraph 12(3)(d) of the *Pension Benefits Act Regulations*, in accordance with a solvency valuation in section 11 of those Regulations and that valuation shall be interpreted as including the present value of the special payments referred to in subsection (1).

## **PART II NEW 10 YEAR FUNDING**

General funding  
rules

**7.** (1) Notwithstanding paragraph 12(3)(d) of the *Pension Benefits Act Regulations*, an initial solvency deficiency of a plan may be funded in accordance with Part I, but the remittance to the pension fund of a portion of the special payments determined under that Part may be deferred as if the initial solvency deficiency were funded by special payments sufficient to liquidate the initial solvency deficiency by equal annual payments over a period not exceeding 10 years from the day on which the initial solvency deficiency emerged.

(2) The initial solvency deficiency may be funded in accordance with this Part only if less than one third of the members and less than one third of the former members excluding members object before the date indicated in the statement referred to in paragraph 8(1)(j).

(3) Notwithstanding the fact that the special payments set out in subsection (1) may be made over a period that exceeds the period applicable under Part I, for the purposes of subsection 32(1) of the Act, the amount by which the aggregate amount of special payments that would have been remitted to the pension fund in accordance with that Part from the day on which the initial solvency deficiency emerged, as adjusted to take into account the actuarial gains that were applied under subsection 13(1) of the *Pension Benefits Act Regulations*, plus interest, exceeds the aggregate amount of special payments made to the pension fund in accordance with this Part, plus interest, shall be considered to be an amount accrued to the pension fund.

(4) Interest shall be calculated by using the interest rate that was assumed in valuing the liabilities of the plan for the purpose of calculating the initial solvency deficiency.

Information to be  
provided

**8.** (1) The administrator shall provide the following information to the members and former members:

- (a) the solvency ratio of the plan as of the day on which the initial solvency deficiency emerged;
- (b) the amount of the initial solvency deficiency;
- (c) a description of the extent to which the members and former members' benefits would be reduced if the plan were fully terminated and wound up with the solvency ratio referred to in paragraph (a);
- (d) a statement indicating that extending the period for funding the initial solvency deficiency as permitted by this Part may result in a lower value of the plan assets during the funding period than would be the case if the deficiency were funded over a period not exceeding 5 years and that the longer funding period may also extend the period during which the plan assets are less than the plan liabilities;
- (e) the special payments that would have been made during the first plan year covered by the actuarial report referred to in paragraph 9(b) if the initial solvency deficiency were to be funded in accordance with Part I;
- (f) the special payments that are to be made during the first plan year covered by the actuarial report referred to in paragraph 9(b) if the initial solvency deficiency is funded in accordance with this Part;
- (g) a statement indicating that an actuarial report is to be filed at least annually with the superintendent while the plan is being funded in accordance with this Part;
- (h) a statement indicating that the plan may be funded in accordance with this Part only if less than one third of the members object and less than one third of the former members object;
- (i) a statement indicating that the superintendent's approval is not required to fund the initial solvency deficiency in accordance with this Part;
- (j) a statement indicating that the members and former members may object to the proposal to fund the plan in accor-



dance with this Part by sending an objection to the administrator at the address and by the date indicated in the statement, and that date shall not be less than 30 days after the day on which the other information required to be provided under this section is provided by the administrator;

(k) a statement indicating that if the plan is funded in accordance with this Part, amendments to the plan that increase the pension benefits will be restricted for the first 5 plan years of funding in accordance with this Part; and

(l) a statement setting out the right of access to the documents described in subsection 25(7) of the Act.

Documents etc. to  
be filed

**9.** The administrator shall file the following documents and information with the superintendent:

(a) written notification that the initial solvency deficiency is to be funded in accordance with this Part;

(b) the actuarial report valuing the plan as of the day on which the initial solvency deficiency emerged;

(c) a written statement confirming that a resolution of the board of directors of the employer has been passed, if the employer is a corporation, or, if the employer is not a corporation, an approval of the persons who have the authority to direct or authorize the actions of that body, has been given, authorizing the special payment schedule calculated in accordance with this Part; and

(d) a written statement confirming that the information set out in section 8 has been provided to the members and former members and that less than one third of the members have objected and less than one third of the former members have objected.

New solvency  
deficiency

**10.** Where a solvency deficiency emerges after the day on which the initial solvency deficiency emerged, the new solvency deficiency shall be calculated, for the purposes of paragraph 12(3)(d) of the *Pension Benefits Act Regulations*, in accordance with a solvency valuation in section 11 of those Regulations, and that the valuation shall be interpreted as including

- (a) the present value of the special payments referred to in section 7; and
- (b) the present value of the special payments calculated with respect to an initial unfunded liability that are due in the period that is the greater of
  - (i) the 5 years following the emergence of the new solvency deficiency, and
  - (ii) the period then remaining of the 10 years following the emergence of the initial solvency deficiency.

Termination of plan

**11.** Where a plan is fully terminated and on the day on which it terminates the liabilities of the plan exceed its assets, the lesser of the amount determined in subsection 7(3) and the amount by which the liabilities of the plan exceed its assets shall immediately be remitted to the pension fund.

Ceasing 10 year funding

**12.** (1) A plan may cease to be funded under this Part, beginning on the first day of a plan year, by giving written notice to the superintendent not later than 6 months after the beginning of that plan year.

(2) The notice shall indicate whether the plan has a surplus as of the first day of the plan year.

(3) Where funding ceases, section 12 of the *Pension Benefits Act Regulations* applies in respect of the plan except as otherwise provided under this Part.

Calculating surplus

**13.** A surplus in respect of a plan shall be determined in the manner prescribed by section 19 of the *Pension Benefits Act Regulations* as if the plan had been fully terminated.

Plan with surplus

**14.** Where a plan ceases to be funded in accordance with this Part and the plan has a surplus as of the first day of the plan year, this Part ceases to apply to the plan on the first day of that plan year.

Plan without surplus

**15.** (1) Where a plan ceases to be funded in accordance with this Part and the plan does not have a surplus as of the first day of the plan year, section 12 of the *Pension Benefits Act Regulations* applies except as follows:

- (a) when funding ceases before the sixth plan year,
  - (i) the administrator shall have an actuarial report prepared in which the present value of the special payments referred to in section 7 shall be zero valuing the plan as of the first day of the plan year in which funding ceases,
  - (ii) the amount by which the aggregate amount of special payments that would have been made to the pension fund in accordance with Part I from the day on which the initial solvency deficiency emerged to the day on which funding ceases, as adjusted to take into account the actuarial gains that were applied under subsection 13(1) of the *Pension Benefits Act Regulations*, plus interest, exceeds the aggregate amount of special payments made to the pension fund in accordance with this Part, plus interest, shall immediately be remitted to the pension fund,
  - (iii) a remaining initial solvency deficiency disclosed by the actuarial report, which shall be calculated by including the amount remitted in accordance with subparagraph (ii) as an asset of the pension fund, shall be considered to have emerged as of the day on which the initial solvency deficiency emerged,
  - (iv) the remaining initial solvency deficiency calculated under subparagraph (iii) shall be funded by special payments sufficient to liquidate that initial solvency deficiency by equal annual payments over a period not exceeding 5 years minus the number of years that the plan was funded in accordance with this Part, and
  - (v) the special payments set out in section 7 shall continue to be made until the first special payment required to fund the remaining initial solvency deficiency referred to in subparagraph (iii) is made to the pension fund; and
- (b) when funding ceases after the fifth plan year,
  - (i) the administrator shall have an actuarial report prepared as of the first day of the plan year in which funding ceases, and

- (ii) the amount by which the aggregate amount of special payments that would have been made to the pension fund in accordance with Part I from the day on which the initial solvency deficiency emerged to the day on which funding ceases, as adjusted to take into account the actuarial gains that were applied under subsection 13(1) of the *Pension Benefits Act Regulations*, plus interest, exceeds the aggregate amount of special payments made to the pension fund in accordance with this Part, plus interest, shall immediately be remitted to the pension fund.

(2) Interest shall be calculated by using the interest rate that was assumed in valuing the liabilities of the plan for the purpose of calculating the initial solvency deficiency.

### **PART III 10 YEAR FUNDING WITH LETTERS OF CREDIT**

General funding  
rules

**16.** (1) Notwithstanding paragraph 12(3)(d) of the *Pension Benefits Act Regulations*, an initial solvency deficiency of a plan may be funded by special payments sufficient to liquidate the initial solvency deficiency by equal annual payments over a period not exceeding 10 years from the day on which the initial solvency deficiency emerged.

(2) The initial solvency deficiency may be funded in accordance with this Part where the employer

- (a) obtains letters of credit for each of the first 5 plan years of funding under this Part, for the amount representing the difference between the present value, at the end of each plan year, of the remaining special payments under this Part and the present value of the remaining special payments that would have been required to be made to liquidate the initial solvency deficiency as if it had been funded under Part I; and
- (b) maintains letters of credit for the sixth plan year of funding and for each plan year after that year, representing the present value at the beginning of each plan year of the remaining special payments under this Part.

(3) The present value of the remaining special payments shall be determined by using the interest rate that was assumed in valuing the liabilities of the plan for the purpose of calculating the initial solvency deficiency.

Letter of credit

**17.** (1) A letter of credit required by this Part shall be an irrevocable, unconditional standby letter of credit that

- (a) is in accordance with the rules of International Standby Practices 1998 (**publication No. 590 of the International Chamber of Commerce**);
- (b) is payable only in Canadian currency;
- (c) is issued or confirmed by an issuer who is a member of the Canadian Payments Association that has been assigned an acceptable rating; and
- (d) provides that
  - (i) the letter of credit is made out to the holder's benefit,
  - (ii) the issuer will pay the face amount of the letter of credit on demand from the holder without inquiring whether the holder has a right to make the demand,
  - (iii) the bankruptcy of the employer shall have no effect on the rights and obligations of the issuer and the holder set out in the letter of credit,
  - (iv) the letter of credit will expire on the day on which the plan's year ends,
  - (v) the letter of credit will automatically be renewed for the full face amount for further one-year periods on the expiry date referred to in subparagraph (iv) unless the issuer notifies the holder, in writing, of the non-renewal not less than 90 days before the expiry date, and
  - (vi) the letter of credit may not be amended during the term of the letter of credit and may not be assigned except to another holder.

(2) A letter of credit shall be obtained not later than the day on which the actuarial report is filed with the superintendent, under subsection 16(2) of the Act, for the first plan year of funding, and at least 30 days before the beginning of each subsequent plan year that is covered by it.

(3) The letter of credit shall immediately be provided to the holder.

When letter of credit not required

**18.** Where separate letters of credit have been obtained for each plan year, a letter of credit is not required to be automatically renewed after the fifth year following the plan year for which it was obtained.

Where face amount less than amount required

**19.** Where the face amount of a letter of credit obtained or maintained in accordance with this Part for a plan year is less than the amount required by subsection 16(2) for that plan year, the employer shall make up the difference either by increasing the amount of letters of credit or by making additional payments to the pension fund no later than on the day on which the next quarterly payment is made to the pension fund in accordance with subsection 12(3) of the *Pension Benefits Act Regulations*.

Trust agreement

**20.** (1) The employer and, where the employer is not the administrator of the plan, the administrator shall enter into a trust agreement or shall amend any existing trust agreement it may have with the holder regarding the letters of credit referred to in this Part.

(2) The trust agreement shall provide that

- (a) the holder shall hold the letters of credit in Canada in trust for the plan;
- (b) the definition "default" in section 2 applies to the agreement;
- (c) the employer shall immediately notify, in writing, the holder and the superintendent and, where the employer is not the administrator of the plan, the administrator of a default;
- (d) where not otherwise notified under paragraph (c), the administrator shall notify, in writing, the holder and the superintendent of a default immediately after becoming aware of it;

- (e) on receipt of the notice referred to in paragraph (c) or (d), the holder shall immediately make a demand for payment of the face amount of all of the letters of credit held in respect of the plan;
- (f) on receipt of a written notice of default from a person other than the employer or the administrator, the holder shall
  - (i) immediately notify, in writing, the employer, the administrator and the superintendent of the notice, and
  - (ii) make a demand for payment of the face amount of all of the letters of credit held in respect of the plan unless the administrator provides a written notice to the holder within 30 days after receipt of the notice that the default has not occurred;
- (g) where a holder makes a demand for payment of a letter of credit held for the plan, it shall notify, in writing, the employer, the administrator and the superintendent that it has made the demand;
- (h) the holder shall immediately notify, in writing, the employer, the administrator and the superintendent where the issuer does not pay the face amount of a letter of credit after a demand for payment has been made;
- (i) the holder shall not make a demand for payment where a letter of credit expires without being renewed, or the face amount is being reduced, in accordance with this Part;
- (j) the administrator shall notify the holder of a circumstance when a letter of credit may expire, or when the face amount of a letter of credit may be reduced, in accordance with this Part; and
- (k) the administrator shall provide the holder with a copy of the statements referred to in paragraph 21(1)(e) and subsection 21(2) and with a copy of the written notice referred to in paragraph 27(a).

Documents etc. to  
be filed

**21.** (1) The administrator shall file the following documents and information with the superintendent for the first plan year of funding of the initial solvency deficiency:

- (a) written notification that the initial solvency deficiency is to be funded in accordance with this Part;
- (b) the actuarial report valuing the plan as of the day on which the initial solvency deficiency emerged;
- (c) a written statement confirming that a resolution of the board of directors of the employer has been passed, if the employer is a corporation, or, if the employer is not a corporation, an approval of the persons who have the authority to direct or authorize the actions of that body, has been given, authorizing the special payment schedule calculated in accordance with this Part;
- (d) a copy of each letter of credit in effect for the plan year;
- (e) a written statement from the administrator that the letters of credit comply with this Part; and
- (f) a copy of the trust agreement set out in section 20 together with the name and address of the holder of the letters of credit.

(2) For each subsequent plan year of funding, the administrator shall file with the superintendent copies of all subsequent letters of credit that have been obtained by the employer and a written statement, for each letter of credit filed, that it complies with this Part.

Statement to mem-  
bers

**22.** Where the administrator provides the written statement under subsection 25(4) of the Act, the administrator shall also provide the following information:

- (a) the amount of the initial solvency deficiency;
- (b) the fact that the deficiency is to be funded in accordance with this Part by equal annual payments over a period not exceeding 10 years; and



- (c) the aggregate face amount of all of the letters of credit that are held by the holder in respect of the plan.

Reduction of the face amount of a letter of credit

**23.** (1) The face amount of a letter of credit may be reduced, effective the beginning of a plan year, by

- (a) the amount by which the aggregate amount of payments that the employer has made to the pension fund in the previous plan year exceeds the total of the required special payments and the normal cost of the plan for that year as shown in an actuarial report that was filed with the superintendent for that year in accordance with subsection 16(2) of the Act; or
- (b) the amount by which the aggregate face amount of all of the letters of credit that are held by the holder in respect of the plan exceeds the amount set out in paragraph 16(2)(a) or (b).

(2) The face amount of the letter of credit shall not be reduced following a default.

New solvency deficiency

**24.** Where a solvency deficiency emerges after the day on which the initial solvency deficiency emerged, the new solvency deficiency shall be calculated, for the purposes of paragraph 12(3)(d) of the *Pension Benefits Act Regulations*, in accordance with a solvency valuation in section 11 of those Regulations and that valuation shall be interpreted as including

- (a) the present value of the special payments referred to in subsection 16(1); and
- (b) the present value of the special payments calculated with respect to an initial unfunded liability that are due in the period that is the greater of
  - (i) the 5 years following the emergence of the new solvency deficiency, and
  - (ii) the period then remaining of the 10 years following the emergence of the initial solvency deficiency.

Failure to pay letter of credit

**25.** On receipt of the notice from a holder that an issuer has not paid the face amount of a letter of credit after a demand for payment has been made, the employer shall remit to the pension fund no later than

30 days after the day on which the demand for payment was made, an amount equal to the face amount of that letter of credit.

Occurrence of  
default

**26.** (1) Where a default occurs, the amount by which the aggregate amount of special payments that would have been remitted to the pension fund in accordance with Part I from the day on which the initial solvency deficiency emerged, as adjusted to take into account the actuarial gains that were applied under subsection 13(1) of the *Pension Benefits Act Regulations*, plus interest, exceeds the aggregate amount of special payments made to the pension fund in accordance with this Part, plus interest, shall immediately be remitted to the pension fund.

(2) Except where a plan is fully terminated, the administrator shall have an actuarial report prepared in which the present value of the special payments referred to in subsection 16(1) shall be zero valuing the plan as of the last day of the plan year in which the default occurs and shall file a copy of the report with the superintendent in accordance with subsection 16(2) of the Act.

(3) A remaining initial solvency deficiency disclosed by the actuarial report prepared in accordance with subsection (2) shall be calculated by including as an asset an amount remitted to the pension fund in accordance with subsection (1) and the remaining initial solvency deficiency shall be considered to have emerged as of the day on which the initial solvency deficiency emerged.

(4) The remaining initial solvency deficiency calculated under subsection (3) shall be funded by special payments sufficient to liquidate that initial solvency deficiency by equal annual payments over a period not exceeding 5 years minus the number of years that the plan was funded in accordance with this Part.

Ceasing 10 year  
funding

**27.** A plan may cease to be funded in accordance with this Part, beginning on the first day of a plan year, where

- (a) the administrator gives written notice to the superintendent not later than 6 months after the beginning of that plan year;
- (b) the amount by which the aggregate amount of special payments that would have been remitted to the pension fund in accordance with Part I from the day on which the initial solvency deficiency emerged, as adjusted to take into account the actuarial gains that were applied under paragraph 13(1)

of the *Pension Benefits Act Regulations*, plus interest, exceeds the aggregate amount of special payments made to the pension fund in accordance with this Part, plus interest, is remitted to the pension fund at least 30 days before the plan's year end; and

- (c) an actuarial report is prepared in accordance with subsection 26(2) and any remaining initial solvency deficiency is calculated and funded in accordance with subsections 26(3) and (4) as if a default occurred, except that the actuarial report shall be prepared valuing the plan as of the first day of the plan year in which funding ceases.

Repeal

**28. These Regulations are repealed on February 1, 2019.**

Commencement

**29. These Regulations are considered to have come into force on January 1, 2007.**

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**NEWFOUNDLAND AND LABRADOR  
REGULATION 31/08**

*Open Season Big Game Caribou Hunting Order,  
Labrador 2007-2008 (Amendment)*  
under the  
*Wild Life Regulations*  
and the  
*Wild Life Act*

*(Filed May 26, 2008)*

Under the authority of sections 38, 92 and 114 of the *Wild Life Regulations* and the *Wild Life Act*, I make the following Order.

Dated at St. John's, May 23, 2008.

Charlene Johnson  
Minister of Environment and Conservation

**ORDER**

*Analysis*

- |                             |                             |
|-----------------------------|-----------------------------|
| 1. S.4 Amdt.<br>Open season | 2. S.5 R&S<br>Closed season |
|-----------------------------|-----------------------------|

NLR 100/07

**1. Subsection 4(1) of the *Open Season Big Game Caribou Hunting Order, Labrador 2007-2008* is repealed and the following substituted:**

Open season      **4.** (1) There shall be an open season in the following zones during the dates specified:

George River Zone	August 10, 2007 – April 30, 2008
Big River Zone	September 14, 2007-April 30, 2008
Bay of Islands Zone	September 14, 2007-April 30, 2008
Orma North Zone	October 1, 2007-April 30, 2008
Michikamau East Zone	October 1, 2007-April 30, 2008
Michikamau West Zone	October 1, 2007-April 30, 2008
Twin Falls Zone	October 1, 2007-April 30, 2008
Colville Lake Zone	October 1, 2007-April 30, 2008
Sawbill Lake Zone	October 1, 2007-April 30, 2008
Milner Lake Zone	October 1, 2007-April 30, 2008
McPhayden River Zone	October 1, 2007-April 30, 2008
Lac Virot Zone	October 1, 2007-March 3, 2008
Orma South Zone	November 15, 2007-April 30, 2008
Seal Lake Zone	November 14, 2007-April 30, 2008

**2. Section 5 of the Order is repealed and the following substituted:**

Closed season      **5.** There shall be a closed season in the following zones:

- (a) Double Mer Barrens Zone;
- (b) Grand Lake Zone;

(c) Nipishish Lake Zone; and

(d) Mulligan River Zone.

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## NEWFOUNDLAND AND LABRADOR REGULATION 32/08

*Home Heating Tax Credit Program Regulations*  
under the  
*Income Tax Act, 2000*  
(O.C. 2008-141)

*(Filed May 26, 2008)*

Under the authority of section 68 of the *Income Tax Act, 2000*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, May 23, 2008.

Gary Norris  
Clerk of the Executive Council

### REGULATIONS

#### *Analysis*

- |                                                            |                                           |
|------------------------------------------------------------|-------------------------------------------|
| 1. Short title                                             | 6. One overpayment per home               |
| 2. Definitions                                             | 7. Application of subsection 38(6) of Act |
| 3. Home heating overpayment refund                         | 8. NLR 64/07 Rep.                         |
| 4. Benefit reduction calculation                           | 9. Commencement                           |
| 5. Adjustment for death, long term care or adult education |                                           |

Short title

**1.** These Regulations may be cited as the *Home Heating Tax Credit Program Regulations*.

## Definitions

**2. In these regulations**

- (a) "Act" means the *Income Tax Act, 2000*;
- (b) "adjusted income" has the meaning assigned to it under subsection 122.5(1) of the federal Act;
- (c) "department" means the department presided over by the minister;
- (d) "eligible householder" means an individual who has an adjusted income of \$40,000 or less for the taxation year preceding the program year;
- (e) "home heating fuel" means, for the purpose of these regulations,
  - (i) furnace oil,
  - (ii) stove oil, or
  - (iii) propane;
- (f) "home" means an individual's principal dwelling place and self contained living unit consisting of 2 or more rooms in which individuals reside and usually sleep and prepare and serve meals for their own consumption;
- (g) "Labrador program area" means, for the purpose of these regulations, the electoral districts of Torngat Mountains and Cartwright-L'Anse au Clair;
- (h) "minister" means the minister appointed under the *Executive Council Act* to administer the Act; and
- (i) "program year" means October 1 in a year to April 30 in the following year.

Home heating  
overpayment refund

**3. (1)** Where an eligible householder or his or her spouse or common law partner has incurred a cost to heat his or her home during the program year and applies to the department that eligible householder shall be considered to have made an overpayment of tax in the amount



set out in section 4 and the minister shall refund the amount of that overpayment to that householder.

(2) An application made to the department for a refund under this section shall be in the form and contain the information required by the minister and shall be accompanied by an invoice or other document that he or she considers to be satisfactory that indicates that the purchase of electricity, home heating fuel or wood was made by the eligible householder or his or her spouse or common law partner.

(3) Notwithstanding subsection (2), where an eligible householder or his or her spouse or common law partner incurred a cost to heat his or her home and that home is not connected to an electrical power service or equipped for and using home heating oil as a source of heat, the minister may accept an invoice, receipt or other evidence showing the cost of heating the home that he or she considers satisfactory.

(4) Where the department receives an application under this section from an individual who is not an eligible householder and that application is co-signed by his or her spouse or common law partner who is an eligible householder, the application shall be considered to have been made by the spouse or common law partner who is the eligible householder.

(5) An application for a refund under this section shall be submitted to the department by September 30 following the end of the program year.

Benefit reduction  
calculation

**4.** (1) Where an eligible householder's adjusted income is \$35,000 or less for the taxation year preceding the program year, the amount of overpayment of tax referred to in subsection 3(1) shall be:

- (a) \$200, where the primary source of heat is electricity or other primary source of heat which is not home heating fuel;
- (b) \$300, where the primary source of heat is home heating fuel;  
or
- (c) \$400 in the Labrador program area, without consideration of the primary source of heat.

(2) Where an eligible householder's adjusted income is more than \$35,000 but is \$40,000 or less for the taxation year preceding the program year, the amount of the overpayment of tax referred to in subsection 3(1) on electricity or other primary source of heat which is not home heating fuel, shall be the greater of

(a) \$200 minus ((adjusted income minus \$35,000) X 4%); and

(b) \$100.

(3) Where an eligible householder's adjusted income is more than \$35,000 but is \$40,000 or less for the taxation year preceding the program year, the amount of the overpayment of tax on the home heating fuel referred to in subsection 3(1) shall be the greater of

(a) \$300 minus ((adjusted income minus \$35,000) X 6%); and

(b) \$100.

(4) Notwithstanding subsections (2) and (3), where, in the Labrador program area, an eligible householder's adjusted income is more than \$35,000 but is \$40,000 or less for the taxation year preceding the program year, the amount of the overpayment of tax referred to in subsection 3(1) shall be the greater of

(a) \$400 minus ((adjusted income minus \$35,000) X 8%); and

(b) \$100.

Adjustment for  
death, long term  
care or adult educa-  
tion

**5.** Notwithstanding another provision of these regulations, where

(a) an eligible householder's spouse or common law partner dies before January 1 in a program year, the adjusted income of the surviving eligible householder will be used to determine eligibility for the purpose of section 4; or

(b) an eligible householder's spouse or common law partner resides in a long term care facility, the adjusted income of the eligible householder shall be reduced by the amount of contributions made towards the cost of care of that spouse or common law partner for a continuous 12 month period

(i) in the taxation year ending before the program year, and

(ii) in the taxation year ending in the program year;

(c) an eligible householder has divorced or has separated from his or her spouse or common law partner before January 1 in a program year, the adjusted income of the eligible householder, without reference to the income of the spouse or common law partner, will be used to determine eligibility under section 4; or

(d) where an eligible householder has received government funding from the province or Canada for Adult Basic Education or for skills training during the taxation year previous to the program year, the amount of that funding shall be deducted from that individual's income to determine eligibility for the purpose of section 4.

One overpayment  
per home

**6. (1)** Where more than one individual who resides in a home may qualify for an overpayment of tax refund under these regulations, only one of those individuals may apply for and receive that refund.

(2) Where, notwithstanding subsection (1), more than one eligible householder of a home applies for a refund under section 3, the minister may, in his or her discretion, determine which eligible householder is to receive the overpayment of tax amount under these regulations.

Application of  
subsection 38(6) of  
Act

**7.** Subsection 38(6) of the Act shall apply to an amount considered to be an overpayment of a tax under these regulations.

NLR 64/07 Rep.

**8. The *Home Heating Tax Credit Regulations, 2007*, Newfoundland and Labrador Regulation 64/07, are repealed.**

Commencement

**9. These regulations shall be considered to have come into force on December 6, 2007.**

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## Index

### PART I

Change of Name Act – Applications .....	209
Corporations Act – Notices .....	205
Lands Act – Notices .....	203
Mineral Act – Notice .....	201
Trustee Act – Notices .....	204
Urban and Rural Planning Act – Notices .....	202

### PART II

#### CONTINUING INDEX OF SUBORDINATE LEGISLATION

Title of Act and Subordinate Legislation made thereunder	CNLR or NL Reg.	Amendment	NL Gazette Date & Page No.
<b>Income Tax Act, 2000</b>			
Home Heating Tax Credit Program Regulations (In force December 6, 2007)	NLR 32/08	R & S NLR 64/07	May 30/08, p. 231
<b>Pension Benefits Act</b>			
Pension Benefits Regulations (Amdt)	NLR 29/08	Amends NLR 114//96 S. 7.1 Added	May 30/08, p. 205
Solvency Funding Relief Regulations (In force January 1, 2007)	NLR 30/08	New	May 30/08, p. 209
<b>Provincial Parks Act</b>			
Newfoundland and Labrador T'Railway Provincial Park Proclamation (Amdt.)	NLR 27/08	Correction Notice	May 30/08, p.201
<b>Teacher Training Act</b>			
Teacher Certification Regulations (Amdt)	NLR 28/08	Amends CNLR 1134/96 Ss. 3 & 4 Amdt. S. 9.1 Added S. 14 R & S S. 14.1 Added Extraordinary May 23, 2008	May 30/08, p. 203
<b>Wild Life Regulations and the Wild Life Act</b>			
Open Season Big Game Caribou Hunting Order, Labrador, 2007-2008 (Amdt)	NLR 31/08	Amends NLR 100/07	May 30/08, p. 227

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