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JUDICATURE ACT

RULES OF THE SUPREME COURT, 1986

PRACTICE NOTE

P.N. (TD) No. 2008-01

DATE ISSUED: August 1, 2008
RULES AFFECTED: 16.07; 17.03; 44
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PREVIOUS PRACTICE NOTES REVISED: N/A

The following Practice Note was filed with the Registrar, as Secretary of the Rules Committee of the Trial Division, and is published consistent with rule 4.04 of the *Rules of the Supreme Court, 1986*.

ASSESSMENT OF DAMAGES FOLLOWING ENTRY OF DEFAULT JUDGMENT

Background:

1. Upon default of filing a Defence and proof of proper service of the claim, Rule 16.01 permits the entry of judgment for unliquidated damages against the defendant with damages to be assessed.

2. Rule 44 governs the practice and procedure respecting assessment of damages upon trial or following a hearing.
3. As a general rule, an assessment of damages will involve proof by way of oral evidence.
4. However, in cases where an insurer has made payments to its insured under Section B, Section D or SEF.44 coverage and is suing the tortfeasor by way of subrogation in the name of the insured and is able to enter default judgment with damages to be assessed, the practice has grown up of permitting the subrogated insured, on application to assess damages under Rule 44, to prove the damages by way of affidavit evidence and third party medical and damage reports. In effect, this process becomes a summary trial under Rule 17A.03(2).
5. Not infrequently, counsel bring applications to assess damages in these circumstances without giving any further notice to the defendant tortfeasor or without providing to the tortfeasor all of the material upon which the applicant intends to rely for the purposes of the assessment.
6. The purpose of this Practice Note is to clarify the requirements that should be satisfied by applications for an assessment of damages, following entry of default judgment, without proof by way of oral evidence.

Practice Note

7. Counsel are reminded that a precondition for assessment of damages following entry of judgment by default by way of full trial or hearing, is the giving of notice of the assessment to the defendant tortfeasor. Rule 16.07 provides:

Unless the Court otherwise orders or a rule otherwise provides, a defendant who fails to defend or appear on the hearing under an originating document shall not be entitled to receive notice of any subsequent steps taken in the proceeding against the defendant, other than the assessment of damages when ten days notice thereof by ordinary mail shall be given to the defendant.
8. Inasmuch as a proceeding to assess damages without oral proof is in effect an application for summary trial, the notice contemplated by Rule 16.07 should involve provision of a copy of the complete application, including the affidavits, reports and other material to be relied on.
9. In the event the defendant cannot be located for the purpose of giving notice, substituted service may be ordered by the court in appropriate cases.
10. On an application to assess damages in a summary manner, the application should include:
 - (a) copies of all invoices and receipts for payment for each item of special damages claimed;
 - (b) in case of a claim for lost wages, proper backup showing the amounts of working time lost and a calculation of the wage loss;
 - (c) medical and other health care reports in support of any claim for general or non-pecuniary damages;
 - (d) details of the payouts, if any, made by the insurer under the section B, Section D or SEF.44 coverage;
 - (e) summaries of applicable case law supporting the levels of non-pecuniary damages claimed;
 - (f) a summary of each category of claim made, explaining the total amount for which judgment is sought to be entered.
11. Counsel should come to court prepared to speak to the justification for each of the items making up the subrogated claim.

AUTHORIZED BY:

J. DEREK GREEN
Chief Justice of the Supreme Court
of Newfoundland and Labrador,
Trial Division

CHRISTOPHER P. CURRAN, Q.C.
Registrar of the Supreme Court
& Secretary, Rules Committee

**CANADA-NEWFOUNDLAND ATLANTIC ACCORD IMPLEMENTATION ACT,
AND
CANADA-NEWFOUNDLAND AND LABRADOR ATLANTIC ACCORD IMPLEMENTATION
NEWFOUNDLAND AND LABRADOR ACT**

**CANADA-NEWFOUNDLAND AND LABRADOR OFFSHORE PETROLEUM BOARD
CALL FOR BIDS No. NL08-03 (Sydney Basin)**

The Canada-Newfoundland and Labrador Offshore Petroleum Board hereby gives notice of a call for the submission of bids in respect of three parcels in the Newfoundland and Labrador offshore area.

This notice of the Call for Bids No. NL08-03 is made pursuant and subject to the *Canada-Newfoundland Atlantic Accord Implementation Act*, S.C., 1987, c. 3, and the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act*, RSNL. 1990, cC-2.

The following is a summary of the Call for Bids No. NL08-03:

- (i) Sealed bids will be received by the Board prior to the time of closing of this call for bids. This call for bids will close at 4:00 p.m., Newfoundland Standard Time, on November 28, 2008, except as specifically provided for in the Call for Bids No. NL08-03;
- (ii) All bids must be submitted in accordance with the terms and conditions of the Call for Bids No. NL08-03;
- (iii) The parcels are located offshore Newfoundland and Labrador and are described in Schedule I. An Exploration Licence may be issued for these parcels;
- (iv) For the purpose of selecting a bid, the sole criterion to be used will be the total amount of money the bidder commits to expend on exploration on the parcel within Period I (“Work Expenditure Bid”);
- (v) A minimum bid of \$1,000,000 will be required for these parcels in the Sydney Basin;
- (vi) For these parcels, the Work Expenditure Bid must be accompanied by a bank draft or certified cheque in the amount of \$10,000 (“Bid Deposit”) made payable to the Receiver General. Furthermore, the successful bidder will be required to provide, within 15 days of notification of being the successful bidder, a promissory note in the amount of 25% of the Work Expenditure Bid (“Security Deposit”). A credit against the Security Deposit will be made on the basis of 25% of allowable expenditures as described in the Exploration Licence (“Allowable Expenditures”);
- (vii) The successful bidder will receive a refund, without interest, of the Bid Deposit when the Security Deposit is posted within 15 days. Failure to post the Security Deposit within 15 days will result in forfeiture of the Bid Deposit and disqualification of the bid.

Upon the announcement of the bid results, the Bid Deposits of unsuccessful bidders will be returned, without interest, as soon as possible;
- (viii) For these parcels, an Exploration Licence will be issued for a term of nine years consisting of two consecutive periods of five years (Period I) and four years (Period II). Period I may be extended to six years by posting an additional deposit of \$1,000,000 as security for drilling a well; Period II will comprise the balance of the nine-year term.
- (ix) For each parcel, the licence requirement will be one well to be commenced within Period I and diligently pursued thereafter.
- (x) For each parcel, rentals will be applicable only in Period II at the following rates:

1 st year	\$2.50 per hectare
2 nd year	\$5.00 per hectare
3 rd year	\$7.50 per hectare
4 th year	\$7.50 per hectare

When an Exploration Licence continues in force beyond Period II, rentals will be payable at the rates applicable during the last year of Period II.

Rentals will be payable annually, in advance, and are to be submitted by cheque payable to the Receiver General, except for rentals applicable to an Exploration Licence continuing beyond Period II, which will be payable monthly, in advance, at the rate of one-twelfth (1/12) of the applicable annual rates.

Rentals will be refunded annually, to a maximum of 100% of the rentals paid in that year, on the basis of a dollar refund for each dollar of Allowable Expenditures for that year.

Carry forward provisions to reduce rentals otherwise payable in ensuing rental years will apply.

Rentals will apply to lands subject to a declaration of significant discovery during the term of the Exploration Licence at the rates and levels of refundability specified above;

(xi) An Allowable Expenditure schedule will have application throughout Period I of the Exploration Licence. The rates of Allowable Expenditures will be reviewed, and may be amended, at the expiration of Period I;

(xii) Rentals (Significant Discovery Licence)

Each Significant Discovery Licence shall be subject to the following rental regime after the expiration of the term of the Exploration Licence of origin:

(a) Rentals on Significant Discovery Licences, following the expiry date of the Exploration Licence, shall be at the following base rates:

Year 1 to 5	\$0.00 per hectare
Year 6 to 10	\$40.00 per hectare
Year 11 to 15	\$100.00 per hectare
Year 16 to 20	\$800.00 per hectare

The rental rates applicable to any Significant Discovery Licence resulting from Call for Bids NL08-03 will be payable in constant (inflation adjusted) 2009 dollars.

(b) Rental rates of \$800.00 will increase by \$100.00 for each year beyond year 20, and will be payable in constant (inflation adjusted) 2009 dollars until the Significant Discovery Licence is relinquished or converted to a Production Licence. For greater certainty, the interest owner may relinquish lands to reduce future rental payments.

(c) There shall be no carry forward of excess allowable expenditures from Exploration Licences.

(d) Rentals are to be submitted by bank draft or certified cheque payable to the Receiver General.

(e) For greater certainty, rentals shall be calculated on the basis of the total hectareage of lands held as part of the Significant Discovery Licence, as of the anniversary date.

(f) Rentals will be refunded annually, to a maximum of one hundred percent (100%) of the rentals paid in that year, on the basis of a dollar refund for each dollar of allowable expenditures for that year.

(xiii) A successful bidder will be required to comply with the Canada-Newfoundland and Labrador Benefits procurement, employment and reporting procedures as established by the Board;

(xiv) The parcel will be subject to the payment of issuance fees and Environmental Studies Research Fund levies;

(xv) The Board is not obliged to accept any bid or issue any interest as a result of this call for bids;

(xvi) Any licence that may be issued shall be in the form of the Exploration Licence attached to the Call for Bids NL08-03;

The full text of Call for Bids NL08-03 is available at the Board's website (www.cnlopb.nl.ca) or upon request made to the Registrar, Canada-Newfoundland and Labrador Offshore Petroleum Board, Fifth Floor, TD Place, 140 Water Street, St. John's, Newfoundland and Labrador, A1C 6H6, 709-778-1400.

MAX RUELOKKE, P. Eng.
Chairman and Chief Executive Officer

**SCHEDULE I – LAND DESCRIPTION
CALL FOR BIDS NO. NL08-03
(Sydney Basin)**

	<u>Latitude*</u>	<u>Longitude*</u>	<u>Sections</u>	<u>Hectares</u>
Parcel No. 1	46°40'N	57°45'W	6-10, 16-20, 26-30, 36-40, 46-50, 56-60, 66-70, 76-80, 86-90, 96-100	17 720
	46°50'N	57°45'W	1-100	35 370
	47°00'N	57°45'W	1-5, 11-15, 21-25, 31-35, 41-45, 51-55, 61-65, 71-75, 81-85, 91-95	17 650
	46°40'N	58°00'W	6-10, 16-20, 26-30, 36-40, 46-50, 56-60, 66-70, 76-80, 86-90, 96-100	17 720
	46°50'N	58°00'W	1-100	35 370
	47°00'N	58°00'W	1-5, 11-15, 21-25, 31-35, 41-45, 51-55, 61-65, 71-75, 81-85, 91-95	17 650
	46°50'N	58°15'W	1-100	35 370
	47°00'N	58°15'W	1-5, 11-15, 21-25, 31-35, 41-45, 51-55, 61-65, 71-76, 81-86, 91-96	18 709
	46°40'N	58°15'W	6-10, 16-20, 26-30, 36-40, 46-50, 57-60, 67-70, 78-80, 89, 90, 100, and includes all portions of sections 56, 66, 76, 77, 87, 88, 98 and 99 northeast of the boundary line	15 137
	46°40'N	58°30'W	Includes all portions of sections northeast of boundary line	552
	46°50'N	58°30'W	Includes all sections and portions of sections northeast of boundary line	26 046
	47°00'N	58°30'W	1-6, 11-16, 21-26, 31-35, 41-45, 51-55, 61-65, 71-75, 81-85, 91-95	18 709
	46°50'N	58°45'W	Includes all sections and portions of sections northeast of boundary line	2 619
	47°00'N	58°45'W	1-5, 11-15, 21-25, 31-35, 42-45, 53-55, 64, 65, 74, 75, 85 and includes all portions of sections 41, 51, 52, 62, 63, 73, 83, 84, 94 and 95 northeast of the boundary line	13 223
	47°00'N	59°00'W	Includes the portion of section 5 northeast of the boundary line	46
			Total Hectares	271 891

*North American Datum 1927

	<u>Latitude*</u>	<u>Longitude*</u>	<u>Sections</u>	<u>Hectares</u>
Parcel No. 2	47°00'N	57°45'W	56-60, 66-70, 76-80, 86-90, 96-100	8 805
	47°10'N	57°45'W	51-100	17 575
	47°20'N	57°45'W	51-100	17 520
	47°00'N	58°00'W	6-10, 16-20, 26-30, 36-40, 46-50, 56-60, 66-70, 76-80, 86-90, 96-100	17 610
	47°10'N	58°00'W	1-100	35 150
	47°20'N	58°00'W	1-100	35 040
	47°00'N	58°15'W	6-10, 16-20, 26-30, 36-40, 46-50, 56-60,	16 551

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47°10'N	58°15'W	66-70, 77-80, 87-90, 97-100 1-100	35 150
47°20'N	58°15'W	1-100	35 040
47°00'N	58°30'W	7-10, 17-20, 27-30	4 224
47°10'N	58°30'W	1-30, 33-40, 43-50	16 167
47°20'N	58°30'W	1-50	17 520
Total Hectares			256 352

*North American Datum 1927

Parcel No. 3	Latitude*	Longitude*	Sections	Hectares
	47°00'N	59°00'W	Includes all sections and portions of sections northeast of the boundary line except section 5	5 101
	47°10'N	59°00'W	Includes all sections and portions of sections northeast of the boundary line	30 799
	47°20'N	59°00'W	1-100	35 040
	47°10'N	59°15'W	Includes all sections and portions of sections northeast of the boundary line	3 791
	47°20'N	59°15'W	Includes all sections and portions of sections northeast of the boundary line	29 280
	47°20'N	59°30'W	Includes all sections and portions of sections northeast of the boundary line	2 982
	47°00'N	58°45'W	6-10, 16-20, 26-30, 36-40, 46-50, 56-60, 66-70, 76-80, 86-90, 96-100	17 610
	47°10'N	58°45'W	1-100	35 150
	47°20'N	58°45'W	1-100	35 040
	47°00'N	58°30'W	36-40, 46-50, 56-60, 66-70, 76-80, 86-90, 96-100	12 327
	47°10'N	58°30'W	31, 32, 41, 42, 51-100	18 983
	47°20'N	58°30'W	51-100	17 520
Total Hectares				243 623

*North American Datum 1927

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**CANADA-NEWFOUNDLAND AND LABRADOR OFFSHORE PETROLEUM BOARD
CALL FOR BIDS No. NL08-01 (Central Ridge/Flemish Pass)**

The Canada-Newfoundland and Labrador Offshore Petroleum Board hereby gives notice of a call for the submission of bids in respect of three parcels in the Newfoundland and Labrador offshore area.

This notice of the Call for Bids No. NL08-01 is made pursuant and subject to the *Canada-Newfoundland Atlantic Accord Implementation Act*, S.C., 1987, c. 3, and the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act*, RSNL, 1990, cC-2.

The following is a summary of the Call for Bids No. NL08-01:

- (i) Sealed bids will be received by the Board prior to the time of closing of this call for bids. This call for bids will close at 4:00 p.m., Newfoundland Standard Time, on November 14, 2008, except as specifically provided for in the Call for Bids No. NL08-01;
- (ii) All bids must be submitted in accordance with the terms and conditions of the Call for Bids No. NL08-01;
- (iii) The parcels are located offshore Newfoundland and Labrador and are described in Schedule I. An Exploration Licence may be issued for these parcels;
- (iv) For the purpose of selecting a bid, the sole criterion to be used will be the total amount of money the bidder commits to expend on exploration on the parcel within Period I (“Work Expenditure Bid”);
- (v) A minimum bid of \$1,000,000 will be required for these parcels in the Central Ridge/Flemish Pass;
- (vi) For these parcels, the Work Expenditure Bid must be accompanied by a bank draft or certified cheque in the amount of \$10,000 (“Bid Deposit”) made payable to the Receiver General. Furthermore, the successful bidder will be required to provide, within 15 days of notification of being the successful bidder, a promissory note in the amount of 25% of the Work Expenditure Bid (“Security Deposit”). A credit against the Security Deposit will be made on the basis of 25% of allowable expenditures as described in the Exploration Licence (“Allowable Expenditures”);
- (vii) The successful bidder will receive a refund, without interest, of the Bid Deposit when the Security Deposit is posted within 15 days. Failure to post the Security Deposit within 15 days will result in forfeiture of the Bid Deposit and disqualification of the bid.

Upon the announcement of the bid results, the Bid Deposits of unsuccessful bidders will be returned, without interest, as soon as possible;

- (viii) For these parcels, an Exploration Licence will be issued for a term of nine years consisting of two consecutive periods of five years (Period I) and four years (Period II). Period I may be extended to six years by posting an additional deposit of \$1,000,000 as security for drilling a well; Period II will comprise the balance of the nine-year term.
- (ix) For each parcel, the licence requirement will be one well to be commenced within Period I and diligently pursued thereafter.
- (x) For each parcel, rentals will be applicable only in Period II at the following rates:

1 st year	\$5.00 per hectare
2 nd year	\$10.00 per hectare
3 rd year	\$15.00 per hectare
4 th year	\$15.00 per hectare

When an Exploration Licence continues in force beyond Period II, rentals will be payable at the rates applicable during the last year of Period II.

Rentals will be payable annually, in advance, and are to be submitted by cheque payable to the Receiver General, except for rentals applicable to an Exploration Licence continuing beyond Period II, which will be payable monthly, in advance, at the rate of one-twelfth (1/12) of the applicable annual rates.

Rentals will be refunded annually, to a maximum of 100% of the rentals paid in that year, on the basis of a dollar refund for each dollar of Allowable Expenditures for that year.

Carry forward provisions to reduce rentals otherwise payable in ensuing rental years will apply.

Rentals will apply to lands subject to a declaration of significant discovery during the term of the Exploration Licence at the rates and levels of refundability specified above;

- (xi) An Allowable Expenditure schedule will have application throughout Period I of the Exploration Licence. The rates of Allowable Expenditures will be reviewed, and may be amended, at the expiration of Period I;
- (xii) Rentals (Significant Discovery Licence)

Each Significant Discovery Licence shall be subject to the following rental regime after the expiration of the term of the Exploration Licence of origin:

- (a) Rentals on Significant Discovery Licences, following the expiry date of the Exploration Licence, shall be at the following base rates:

Year 1 to 5	\$0.00 per hectare
Year 6 to 10	\$40.00 per hectare
Year 11 to 15	\$200.00 per hectare
Year 16 to 20	\$800.00 per hectare

The rental rates applicable to any Significant Discovery Licence resulting from Call for Bids NL08-01 will be payable in constant (inflation adjusted) 2009 dollars.

- (g) Rental rates of \$800.00 will increase by \$100.00 for each year beyond year 20, and will be payable in constant (inflation adjusted) 2009 dollars until the Significant Discovery Licence is relinquished or converted to a Production Licence. For greater certainty, the interest owner may relinquish lands to reduce future rental payments.
- (h) There shall be no carry forward of excess allowable expenditures from Exploration Licences.
- (i) Rentals are to be submitted by bank draft or certified cheque payable to the Receiver General.
- (j) For greater certainty, rentals shall be calculated on the basis of the total hectarage of lands held as part of the Significant Discovery Licence, as of the anniversary date.
- (k) Rentals will be refunded annually, to a maximum of one hundred percent (100%) of the rentals paid in that year, on the basis of a dollar refund for each dollar of allowable expenditures for that year.
- (xiii) A successful bidder will be required to comply with the Canada-Newfoundland and Labrador Benefits procurement, employment and reporting procedures as established by the Board;
- (xiv) The parcel will be subject to the payment of issuance fees and Environmental Studies Research Fund levies;
- (xv) The Board is not obliged to accept any bid or issue any interest as a result of this call for bids;
- (xvi) Any licence that may be issued shall be in the form of the Exploration Licence attached to the Call for Bids NL08-01;

The full text of Call for Bids NL08-01 is available at the Board's website (www.cnlopb.nl.ca) or upon request made to the Registrar, Canada-Newfoundland and Labrador Offshore Petroleum Board, Fifth Floor, TD Place, 140 Water Street, St. John's, Newfoundland and Labrador, A1C 6H6, 709-778-1400.

MAX RUELOKKE, P. Eng.
Chairman and Chief Executive Officer

**SCHEDULE I – LAND DESCRIPTION
CALL FOR BIDS NO. NL08-01
(Central Ridge/Flemish Pass)**

	<u>Latitude*</u>	<u>Longitude*</u>	<u>Sections</u>	<u>Hectares</u>
Parcel No. 1	47°10'N	47°00'W	61-66, 71-76, 81-86, 91-96	8 444
	<u>47°10'N</u>	47°15'W	1-6, 11-16, 21-26, 31-36, 41-46, 51-56, 61-66, 71-76, 81-86, 91-96	21 110
	47°10'N	47°30'W	1-6, 11-16, 22-26, 32-36, 42-46, 52-56, 62-66, 72-76, 82-86, 92-96	18 294
	47°00'N	47°00'W	61-100	14 104
	47°00'N	47°15'W	1-100	35 260
	47°00'N	47°30'W	1-20	7 052
	46°50'N	47°00'W	65-70, 75-80, 85-90, 95-100	8 484
	46°50'N	47°15'W	5-10, 15-20, 25-30, 35-40, 45-50, 55-60,	21 210

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	46°50'N	47°30'W	65-70, 75-80, 85-90, 95-100 5-10, 15-20	4 242
			Total Hectares	138 200
*North American Datum 1927				
	<u>Latitude*</u>	<u>Longitude*</u>	<u>Sections</u>	<u>Hectares</u>
Parcel No. 2	47°30'N	47°00'W	61-63, 71-73, 81-83, 91-93	4 200
	47°30'N	47°15'W	1-3, 11-13, 21-23, 31-33, 41-43, 51-53, 61-63, 71-73, 81-83, 91-93	10 500
	47°30'N	47°30'W	1-3, 11-13, 21-23, 31-33, 41-43, 51-53, 61-63, 71-73, 81-83, 91-93	10 500
	47°20'N	47°00'W	61-100	14 016
	47°20'N	47°15'W	1-100	35 040
	47°20'N	47°30'W	1-22, 28-31, 38-40, 47-50, 56-62, 66-100	26 275
	47°10'N	47°00'W	67-70, 77-80, 87-90, 97-100	5 616
	47°10'N	47°15'W	7-10, 17-20, 27-30, 37-40, 47-50, 57-60, 67-70, 77-80, 87-90, 97-100	14 040
	47°10'N	47°30'W	7-10, 17-20, 27-30, 37-40, 47-50, 57-60, 67-70, 77-80, 87-90, 97-100	14 040
				Total Hectares
*North American Datum 1927				
	<u>Latitude*</u>	<u>Longitude*</u>	<u>Sections</u>	<u>Hectares</u>
Parcel No. 3	48°10'N	46°00'W	41-45, 51-55, 61-65, 71-75, 81-85, 91-95	10 350
	48°10'N	46°15'W	1-5, 11-15, 21-25, 31-35, 41-45, 51-55, 61-65, 71-75, 81-85, 91-95	17 250
	48°10'N	46°30'W	1-5, 11-15	3 450
	48°00'N	46°15'W	42-50, 52-60, 62-70, 72-80, 82-90, 92-100	18 678
	48°00'N	46°30'W	2-10, 12-20	6 226
			Total Hectares	55 954
*North American Datum 1927				
July 11				

**CANADA-NEWFOUNDLAND AND LABRADOR OFFSHORE PETROLEUM BOARD
CALL FOR BIDS No. NL08-02 (Jeanne d'Arc Basin)**

The Canada-Newfoundland and Labrador Offshore Petroleum Board hereby gives notice of a call for the submission of bids in respect of two parcels in the Newfoundland and Labrador offshore area.

This notice of the Call for Bids No. NL08-02 is made pursuant and subject to the *Canada-Newfoundland Atlantic Accord Implementation Act*, S.C., 1987, c. 3, and the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act*, RSNL 1990, cC-2.

The following is a summary of the Call for Bids No. NL08-02:

- (i) Sealed bids will be received by the Board prior to the time of closing of this call for bids. This call for bids will close at 4:00 p.m., Newfoundland Standard Time, on November 14, 2008, except as specifically provided for in the Call for Bids No. NL08-02;
- (ii) All bids must be submitted in accordance with the terms and conditions of the Call for Bids No. NL08-02;

- (iii) The parcels are located offshore Newfoundland and Labrador and are described in Schedule I. An Exploration Licence may be issued for these parcels;
- (iv) For the purpose of selecting a bid, the sole criterion to be used will be the total amount of money the bidder commits to expend on exploration on the parcel within Period I (“Work Expenditure Bid”);
- (v) A minimum bid of \$1,000,000 will be required for these parcels in the Jeanne d’Arc Basin;
- (vi) For these parcels, the Work Expenditure Bid must be accompanied by a bank draft or certified cheque in the amount of \$10,000 (“Bid Deposit”) made payable to the Receiver General. Furthermore, the successful bidder will be required to provide, within 15 days of notification of being the successful bidder, a promissory note in the amount of 25% of the Work Expenditure Bid (“Security Deposit”). A credit against the Security Deposit will be made on the basis of 25% of allowable expenditures as described in the Exploration Licence (“Allowable Expenditures”);
- (vii) The successful bidder will receive a refund, without interest, of the Bid Deposit when the Security Deposit is posted within 15 days. Failure to post the Security Deposit within 15 days will result in forfeiture of the Bid Deposit and disqualification of the bid.

Upon the announcement of the bid results, the Bid Deposits of unsuccessful bidders will be returned, without interest, as soon as possible;

- (viii) For these parcels, an Exploration Licence will be issued for a term of nine years consisting of two consecutive periods of five years (Period I) and four years (Period II). Period I may be extended to six years by posting an additional deposit of \$1,000,000 as security for drilling a well; Period II will comprise the balance of the nine-year term.
- (ix) For each parcel, the licence requirement will be one well to be commenced within Period I and diligently pursued thereafter.
- (x) For each parcel, rentals will be applicable only in Period II at the following rates:

1 st year	\$5.00 per hectare
2 nd year	\$10.00 per hectare
3 rd year	\$15.00 per hectare
4 th year	\$15.00 per hectare

When an Exploration Licence continues in force beyond Period II, rentals will be payable at the rates applicable during the last year of Period II.

Rentals will be payable annually, in advance, and are to be submitted by cheque payable to the Receiver General, except for rentals applicable to an Exploration Licence continuing beyond Period II, which will be payable monthly, in advance, at the rate of one-twelfth (1/12) of the applicable annual rates.

Rentals will be refunded annually, to a maximum of 100% of the rentals paid in that year, on the basis of a dollar refund for each dollar of Allowable Expenditures for that year.

Carry forward provisions to reduce rentals otherwise payable in ensuing rental years will apply.

Rentals will apply to lands subject to a declaration of significant discovery during the term of the Exploration Licence at the rates and levels of refundability specified above;

- (xi) An Allowable Expenditure schedule will have application throughout Period I of the Exploration Licence. The rates of Allowable Expenditures will be reviewed, and may be amended, at the expiration of Period I;
- (xii) Rentals (Significant Discovery Licence)

Each Significant Discovery Licence shall be subject to the following rental regime after the expiration of the term of the Exploration Licence of origin:

- (a) Rentals on Significant Discovery Licences, following the expiry date of the Exploration Licence, shall be at the following base rates:

Year 1 to 5	\$20.00 per hectare
Year 6 to 10	\$80.00 per hectare
Year 11 to 15	\$200.00 per hectare
Year 16 to 20	\$800.00 per hectare

The rental rates applicable to any Significant Discovery Licence resulting from Call for Bids NL08-02 will be payable in constant (inflation adjusted) 2009 dollars.

- (l) Rental rates of \$800.00 will increase by \$100.00 for each year beyond year 20, and will be payable in constant (inflation adjusted) 2009 dollars until the Significant Discovery Licence is relinquished or converted to a Production Licence. For greater certainty, the interest owner may relinquish lands to reduce future rental payments.
- (m) There shall be no carry forward of excess allowable expenditures from Exploration Licences.
- (n) Rentals are to be submitted by bank draft or certified cheque payable to the Receiver General.
- (o) For greater certainty, rentals shall be calculated on the basis of the total hectarage of lands held as part of the Significant Discovery Licence, as of the anniversary date.
- (p) Rentals will be refunded annually, to a maximum of one hundred percent (100%) of the rentals paid in that year, on the basis of a dollar refund for each dollar of allowable expenditures for that year.
- (xiii) A successful bidder will be required to comply with the Canada-Newfoundland and Labrador Benefits procurement, employment and reporting procedures as established by the Board;
- (xiv) The parcel will be subject to the payment of issuance fees and Environmental Studies Research Fund levies;
- (xv) The Board is not obliged to accept any bid or issue any interest as a result of this call for bids;
- (xvi) Any licence that may be issued shall be in the form of the Exploration Licence attached to the Call for Bids NL08-02;

The full text of Call for Bids NL08-02 is available at the Board's website (www.cnlopb.nl.ca) or upon request made to the Registrar, Canada-Newfoundland and Labrador Offshore Petroleum Board, Fifth Floor, TD Place, 140 Water Street, St. John's, Newfoundland and Labrador, A1C 6H6, 709-778-1400.

MAX RUELOKKE, P. ENG.
CHAIRMAN AND CHIEF EXECUTIVE OFFICER

**SCHEDULE I – LAND DESCRIPTION
CALL FOR BIDS NO. NL08-02
(Jeanne d'Arc Basin)**

	<u>Latitude*</u>	<u>Longitude*</u>	<u>Sections</u>	<u>Hectares</u>
Parcel No. 1	47°00'N	48°15'W	51-55, 61-65, 71-75, 81-85, 91-95	8 825
	46°50'N	48°15'W	55-60, 65-70, 75-80, 85-90, 95-100	10 605
			Total Hectares	19 430

*North American Datum 1927

	<u>Latitude*</u>	<u>Longitude*</u>	<u>Sections</u>	<u>Hectares</u>
Parcel No. 2	47°10'N	48°15'W	21-100	28 120
	47°10'N	48°30'W	1-100	35 150
	47°10'N	48°45'W	1-50	17 575
	47°00'N	48°15'W	26-30, 36-40, 46-50, 56-60, 66-70, 76-80, 86-90, 96-100	14 088
	47°00'N	48°30'W	6-10, 16-20, 26-30, 36-40, 46-50, 56-60, 66-70, 76-80, 86-90, 96-100	17 610
	47°00'N	48°45'W	6-10, 16-20, 26-30, 36-40, 46-50	8 805
	Total Hectares			121 348

*North American Datum 1927

July 11

**CANADA-NEWFOUNDLAND AND LABRADOR OFFSHORE PETROLEUM BOARD
CALL FOR BIDS No. NL08-04 (Western Newfoundland & Labrador Offshore Region)**

The Canada-Newfoundland and Labrador Offshore Petroleum Board hereby gives notice of a call for the submission of bids in respect of two parcels in the Newfoundland and Labrador offshore area.

This notice of the Call for Bids No. NL08-04 is made pursuant and subject to the *Canada-Newfoundland Atlantic Accord Implementation Act*, S.C., 1987, c. 3, and the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act*, RSNL, 1990, cC-2.

The following is a summary of the Call for Bids No. NL08-04:

- (i) Sealed bids will be received by the Board prior to the time of closing of this call for bids. This call for bids will close at 4:00 p.m., Newfoundland Standard Time, on November 28, 2008, except as specifically provided for in the Call for Bids No. NL08-04;
 - (ii) All bids must be submitted in accordance with the terms and conditions of the Call for Bids No. NL08-04;
 - (iii) The parcels are located offshore Newfoundland and Labrador and are described in Schedule I. An Exploration Licence may be issued for these parcels;
 - (iv) For the purpose of selecting a bid, the sole criterion to be used will be the total amount of money the bidder commits to expend on exploration on the parcel within Period I ("Work Expenditure Bid");
 - (v) A minimum bid of \$250,000 will be required for these parcels in the Western Newfoundland & Labrador Offshore Region;
 - (vi) For these parcels, the Work Expenditure Bid must be accompanied by a *bank draft or certified cheque* in the amount of \$10,000 ("Bid Deposit") made payable to the Receiver General. Furthermore, the successful bidder will be required to provide, within 15 days of notification of being the successful bidder, a promissory note in the amount of 25% of the Work Expenditure Bid ("Security Deposit"). A credit against the Security Deposit will be made on the basis of 25% of allowable expenditures as described in the Exploration Licence ("Allowable Expenditures");
 - (vii) The successful bidder will receive a refund, without interest, of the Bid Deposit when the Security Deposit is posted within 15 days. Failure to post the Security Deposit within 15 days will result in forfeiture of the Bid Deposit and disqualification of the bid.
- Upon the announcement of the bid results, the Bid Deposits of unsuccessful bidders will be returned, without interest, as soon as possible;
- (viii) For these parcels, an Exploration Licence will be issued for a term of nine years consisting of two consecutive periods of five years (Period I) and four years (Period II). Period I may be extended to six years by posting an additional deposit of \$250,000 as security for drilling a well; Period II will comprise the balance of the nine-year term.

- (ix) For each parcel, the licence requirement will be one well to be commenced within Period I and diligently pursued thereafter.
- (x) For each parcel, rentals will be applicable only in Period II at the following rates:

1 st year	\$2.50 per hectare
2 nd year	\$5.00 per hectare
3 rd year	\$7.50 per hectare
4 th year	\$7.50 per hectare

When an Exploration Licence continues in force beyond Period II, rentals will be payable at the rates applicable during the last year of Period II.

Rentals will be payable annually, in advance, and are to be submitted by cheque payable to the Receiver General, except for rentals applicable to an Exploration Licence continuing beyond Period II, which will be payable monthly, in advance, at the rate of one-twelfth (1/12) of the applicable annual rates.

Rentals will be refunded annually, to a maximum of 100% of the rentals paid in that year, on the basis of a dollar refund for each dollar of Allowable Expenditures for that year.

Carry forward provisions to reduce rentals otherwise payable in ensuing rental years will apply.

Rentals will apply to lands subject to a declaration of significant discovery during the term of the Exploration Licence at the rates and levels of refundability specified above;

- (xi) An Allowable Expenditure schedule will have application throughout Period I of the Exploration Licence. The rates of Allowable Expenditures will be reviewed, and may be amended, at the expiration of Period I;
- (xii) Rentals (Significant Discovery Licence)
Each Significant Discovery Licence shall be subject to the following rental regime after the expiration of the term of the Exploration Licence of origin:

- (a) Rentals on Significant Discovery Licences, following the expiry date of the Exploration Licence, shall be at the following base rates:

Year 1 to 5	\$0.00 per hectare
Year 6 to 10	\$40.00 per hectare
Year 11 to 15	\$100.00 per hectare
Year 16 to 20	\$800.00 per hectare

The rental rates applicable to any Significant Discovery Licence resulting from Call for Bids NL08-04 will be payable in constant (inflation adjusted) 2009 dollars.

- (q) Rental rates of \$800.00 will increase by \$100.00 for each year beyond year 20, and will be payable in constant (inflation adjusted) 2009 dollars until the Significant Discovery Licence is relinquished or converted to a Production Licence. For greater certainty, the interest owner may relinquish lands to reduce future rental payments.
- (r) There shall be no carry forward of excess allowable expenditures from Exploration Licences.
- (s) Rentals are to be submitted by bank draft or certified cheque payable to the Receiver General.
- (t) For greater certainty, rentals shall be calculated on the basis of the total hectareage of lands held as part of the Significant Discovery Licence, as of the anniversary date.
- (u) Rentals will be refunded annually, to a maximum of one hundred percent (100%) of the rentals paid in that year, on the basis of a dollar refund for each dollar of allowable expenditures for that year.
- (xiii) A successful bidder will be required to comply with the Canada-Newfoundland and Labrador Benefits procurement, employment and reporting procedures as established by the Board;

- (xiv) The parcel will be subject to the payment of issuance fees and Environmental Studies Research Fund levies;
- (xv) The Board is not obliged to accept any bid or issue any interest as a result of this call for bids;
- (xvi) Any licence that may be issued shall be in the form of the Exploration Licence attached to the Call for Bids NL08-04;

The full text of Call for Bids NL08-04 is available at the Board's website (www.cnlopb.nl.ca) or upon request made to the Registrar, Canada-Newfoundland and Labrador Offshore Petroleum Board, Fifth Floor, TD Place, 140 Water Street, St. John's, Newfoundland and Labrador, A1C 6H6, 709-778-1400.

MAX RUELOKKE, P. Eng.
Chairman and Chief Executive Officer

**SCHEDULE I – LAND DESCRIPTION
CALL FOR BIDS NO. NL08-04
(Western Newfoundland & Labrador Offshore Region)**

	<u>Latitude*</u>	<u>Longitude*</u>	<u>Sections</u>	<u>Hectares</u>
Parcel No. 1	48°30'N	59°15'W	The portion in the offshore area	33 851
	48°40'N	59°15'W	The portion in the offshore area	34 160
	48°50'N	59°15'W	1-100	34 050
	48°40'N	59°00'W	The portion in the offshore area	14 271
	48°30'N	59°00'W	The portion in the offshore area	32 827
	48°30'N	58°45'W	1-100	34 270
	48°40'N	58°45'W	The portion in the offshore area south of the land mass and that portion of section 100 in the offshore area	5 109
	48°40'N	58°30'W	The portion in the offshore area south of the land mass excluding sections 1, 11	7 801
	48°30'N	58°30'W	The portion in the offshore area excluding sections 6-10, 16-20, 25-28, 35-38, 45-47, 54 -56	15 646
		Total Hectares	211 985	
*North American Datum 1927				
Parcel No. 2	48°40'N	59°30'W	1-100	34 160
	48°30'N	59°30'W	1-100	34 270
	48°20'N	59°30'W	1-100	34 380
	48°10'N	59°30'W	1-100	34 490
	48°40'N	59°45'W	1-100	34 160
	48°30'N	59°45'W	1-100	34 270
	48°20'N	59°45'W	1-100	34 380
	48°10'N	59°45'W	1-100	34 490
		Total Hectares	274 600	
*North American Datum 1927				

July 11

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	010676M
Held by	Turpin, Alec
Situate near	Little St Lawrence, Burin Peninsula
On map sheet	01L/14 01M/03
Mineral License	010763M
Held by	Alterra Resources Inc.
Situate near	Grand Lake,Central NL
On map sheet	12A/12
Mineral License	011861M
Held by	Alterra Resources Inc.
Situate near	Gander River,Central NL
On map sheet	02E/02
Mineral License	013013M
Held by	Lewis, Donna
Situate near	Kane Brook,Southern NL
On map sheet	01M/14
Mineral License	013260M
Held by	Lannon, George
Situate near	Gander Lake,Central NL
On map sheet	02D/15
Mineral License	013271M
Held by	Turpin, David
Situate near	Northwest Gander River, Central NL
On map sheet	02D/11 02D/14
Mineral License	013272M
Held by	Triassic Properties Ltd
Situate near	Naskaupi River
On map sheet	13K/03
Mineral License	013273M
Held by	Triassic Properties Ltd
Situate near	South of Otter Lake
On map sheet	13K/03
Mineral License	013274M
Held by	Triassic Properties Ltd
Situate near	Otter Lake
On map sheet	13K/03 13K/02 13K/06 13K/07
Mineral License	013275M
Held by	Triassic Properties Ltd
Situate near	Otter Lake
On map sheet	13K/03

Mineral License	013276M
Held by	Laracy, Patrick J.
Situate near	Otter Lake
On map sheet	13K/03
Mineral License	013277M
Held by	Pinsent Jr, Nehemiah
Situate near	Conne River Area,Southern NL
On map sheet	02D/03 02D/04 02D/06
Mineral License	013280M
Held by	Rockflow Geoscience Consultants Inc.
Situate near	Big River
On map sheet	13J/11
Mineral License	013282M
Held by	Hurley, Peter
Situate near	Pacquet,Baie Verte Peninsula
On map sheet	02E/13 02L/04
Mineral License	013283M
Held by	Hurley, Peter
Situate near	Rocky Pond Area,White Bay
On map sheet	12H/10
Mineral License	013284M
Held by	Hurley, Peter
Situate near	Jacksons Arm,White Bay
On map sheet	12H/15
Mineral License	013287M
Held by	White, Derek R.
Situate near	Flat Bay Brook,Western NL
On map sheet	12B/08
Mineral License	013302M
Held by	Guinchard, Wayde
Situate near	Gander Lake,Central NL
On map sheet	02D/16 02D/15
Mineral License	013303M
Held by	Guinchard, Wayde
Situate near	Gander Lake,Central NL
On map sheet	02D/16 02D/15
Mineral License	013304M
Held by	Woodman, Albert
Situate near	Gander Lake,Central NL
On map sheet	02D/15
Mineral License	013312M
Held by	Hurley, Peter
Situate near	Jacksons Arm,White Bay
On map sheet	12H/15
Mineral License	013315M
Held by	Hurley, Peter
Situate near	Woodstock Area, Baie Verte Peninsula
On map sheet	02E/13 12H/16

Mineral License 013316M
Held by Pye, Alison W.
Situate near Flowers Bay West
On map sheet 13N/10

CHANGE OF NAME ACT

C-8 RSNL 1990

Mineral License 013317M
Held by Pye, Alison W.
Situate near Hunt River
On map sheet 13N/06

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

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 32nd clear day after the date of this publication.

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:-

LISA MARGARET O'KEEFE

of 59 Webster Place, Corner Brook, A2H 4L1, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

PEYTON BOBBIE ANN WINSOR

to

PEYTON BOBBIE ANN O'KEEFE

DATED this 25th day of June, 2008.

LISA MARGARET O'KEEFE
(Signature of Applicant)

July 11

July 11

LANDS ACT

NOTICE OF INTENT

c36, SNL. 1991

Notice is hereby given that TOWN OF LUMSDEN of Lumsden, 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) (c) of the said Act, to that piece of Crown Land situated within fifteen (15) metres of the waters of Laddy's Pond, in the Electoral District of Bonavista North for the purpose of walking trail and being more particularly described as follows:

**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:-

LEWIS BRANTON

of P. O. Box 149 Northwest Brook, A0E 2P0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

MITCHELL TYSON WILSON MATCHEM

to

MITCHELL WILSON BRANTON

DATED this 2ND day of July, 2008.

LEWIS BRANTON
(Signature of Applicant)

*Bounded on the North by Route 330
for a distance of 1.5 m;
Bounded on the East by Crown Land
for a distance of 1.5 m;
Bounded on the South by Crown Land
for a distance of 1.5 m;
Bounded on the West by Crown Land
for a distance of 1.5 m;
and containing an area of
approximately 2.475 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 nearest Regional Lands Office.

For further information on the proposed application, please contact JEANIE STOKES, Telephone (709) 530-2309.

July 11

July 11

**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:-

LEO STEPHEN BRAGG

of 21A Tanner Street, St. John's, A1E 5E2, in the Province of Newfoundland and Labrador, as follows:

To change my name from

LEO STEPHEN BRAGG

to

LEO STEPHEN FUDGE

DATED this 19th day of June, 2008.

LEO STEPHEN BRAGG
(Signature of Applicant)

July 11

**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:-

RICHARD JOSEPH LUIDI

of P. O. Box 269, Stephenville Crossing, A0N 2C0, in the Province of Newfoundland and Labrador, as follows:

To change my name from

RICHARD JOSEPH LUIDI

to

RICHARD JOSEPH LUEDEE

DATED this 30th day of June, 2008.

RICHARD JOSEPH LUIDI
(Signature of Applicant)

July 11



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

Vol. 83

ST. JOHN'S, FRIDAY, JULY 11, 2008

No. 28

NEWFOUNDLAND AND LABRADOR

REGULATION

NLR 44/08



NEWFOUNDLAND AND LABRADOR REGULATION 44/08

Income and Employment Support Regulations (Amendment)
under the
Income and Employment Support Act
(O.C. 2008-185)

(Filed July 8, 2008)

Under the authority of section 52 of the *Income and Employment Support Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, July 3, 2008.

Gary Norris
Clerk of the Executive Council

REGULATIONS

Analysis

1. S.8 Amdt.
Definitions

NLR 144/04
as amended

1. Paragraph 8(a) of the *Income and Employment Support Regulations* is amended by striking out the word "or" at the end of subparagraph (ix) and by striking out the semicolon at the end of subparagraph (x) and substituting a comma and the word "or" and by adding immediately after subparagraph (x) the following:

- (xi) funds received from or accumulated in a Registered Disability Savings Plan as referred to in the *Canada Disabilities Savings Act*;

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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.
Income and Employment Support Act			
Income and Employment Support Regulations (Amdt)	NLR 44/08	Amends NLR 144/04, S. 8 Amdt.	July 11/08, p. 303

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