



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 83

ST. JOHN'S, FRIDAY, OCTOBER 10, 2008

No. 41

CITY OF MOUNT PEARL ACT

CITY OF MOUNT PEARL
GERARD LEWIS,
CHIEF ADMINISTRATIVE OFFICER



MOUNT PEARL FENCE REGULATIONS 2008 NOTICE OF ADOPTION

Take notice that the Mount Pearl City Council has adopted the City of Mount Pearl Fence Regulations 2008 made and adopted by the City Council pursuant to the *City of Mount Pearl Act* on September 16, 2008.

The purpose of the amendment is to provide Council with the authority to consider side yard fences that extend to the front building line on lots that are of a unique lot size and configuration from the standard conventional lot.

The Regulations come into effect on November 1, 2008. Any person who wishes to view the Regulations may do so at the office of the Chief Administrative Officer or by visiting the City's website www.mountpearl.ca

Oct 10

TRUSTEE ACT ESTATE NOTICE

IN THE MATTER OF the Estate of THOMAS BARNES, late of 1 Clarke Place, in the City of St. John's, in the Province of Newfoundland and Labrador, Canada, Retired Bookkeeper, deceased, who died at St. John's on the 3rd day of August 2008.

TAKE NOTICE under the *Trustee Act*, s. 24, that all persons claiming to be creditors of, or otherwise alleging to have claims, on or affecting the Estate of THOMAS BARNES, Retired Bookkeeper, deceased, are hereby requested to send particulars of such claims in writing, duly attested, to the undersigned Solicitors for Linda Meehan, Executrix of the Estate of the said deceased, on or before the 28th day of October, 2008, after which date the said Executrix will proceed to distribute the said Estate having regard only to the claims of which she shall then have had notice.

DATED at St. John's, Newfoundland and Labrador, this 22nd day of September, 2008.

LEWIS, DAY
Solicitors for the Executrix
PER David C. Day, Q.C.

ADDRESS FOR SERVICE:
Suite A, 84 Airport Road
St. John's, NL A1A 4Y3
Tel. (709) 753.3545
Fax. (709) 753.2266

Oct 3 & 10

ESTATE NOTICE

In the Estate of DOROTHY WHITE Late of the Town of Kippens, in the Province of Newfoundland and Labrador, retired, deceased: July 12, 2006

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of DOROTHY WHITE, late of the Town of Kippens, in the Province of Newfoundland and Labrador, deceased, are hereby requested to send the particulars of the same in writing, duly attested, to the undersigned Solicitor for the Executor of the Estate on or before the 3rd day of November, 2008, after which date the said Executor will proceed to distribute the said Estate having regard only to the claims of which notice shall have been received.

DATED at Stephenville, Newfoundland and Labrador, this 29th day of September, 2008.

ROXANNE PIKE
Solicitor for the Executor
PER: Roxanne Pike

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

Oct 10

ESTATE NOTICE

In the Matter of the Estate of JAMES BOYD BATTEN, late of Scarborough, in the Province of Ontario, (formally of Conception Bay South, in the Province of Newfoundland and Labrador), 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 JAMES BOYD BATTEN, Gentleman, who died at Scarborough, Ontario on or about November 25, 2007, are hereby requested to send particulars thereof in writing, duly attested, to the Registrar Supreme Court, Viking Building, 136 Crosbie Road, Suite 401, John's, NL, A1B 3K3, Administrator of the Estate of JAMES BOYD BATTEN on or before November 14, 2008, after which date the said Administrator will proceed to distribute the Estate having regard only to the claims of which he then shall have had notice.

DATED at St. John's, this 3 day of October 2008

REGISTRAR OF THE SUPREME COURT,
Administrator of the Estate of James Boyd Batten.

Oct 10

ESTATE NOTICE

In the Matter of the Estate of JOHN CAHILL, late of the City of Mount Pearl, in the Province of Newfoundland and Labrador, 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 JOHN CAHILL, Gentleman, who died at Bell Island, Newfoundland on or about June 18, 2007, are hereby requested to send particulars thereof in writing, duly attested, to the Registrar Supreme Court, Viking Building, 136 Crosbie Road, Suite 401, John's, NL, A1B 3K3, Administrator of the Estate of JOHN CAHILL on or before November 14, 2008, after which date the said Administrator will proceed to distribute the Estate having regard only to the claims of which he then shall have had notice.

DATED at St. John's, this 6 day of October 2008

REGISTRAR OF THE SUPREME COURT
Administrator of the Estate of JOHN CAHILL.
PER: Karen Lawlor

ADDRESS FOR SERVICE
Viking Building
136 Crosbie Road, Suite 401
St. John's, NL, A1B 3K3

Oct 10

QUIETING OF TITLES ACT

**2008 04T 0335
IN THE SUPREME COURT OF
NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION**

NOTICE OF APPLICATION under the *Quieting of Titles Act*, cQ-3, RSNL 1990.

NOTICE

IN THE MATTER OF that piece or parcel of land situate, lying and being at Broom's Brook, Codrou valley, district of St. George's, in the Province of Newfoundland and Labrador

AND

IN THE MATTER OF the Application of LEONARD DOWNEY and SANDRA DOWNEY, of Great Codroy Valley, in the Province of Newfoundland and Labrador, Canada, for a Certificate of Title of said parcel of land

pursuant to the *Quieting of Titles Act*, RSNL 1990, cQ-3, as amended

Notice is hereby given to all persons that LEONARD DOWNEY and SANDRA DOWNEY, as owners, have applied to the Supreme Court of Newfoundland and Labrador, Trial Division, at the City of Corner Brook, in the Province of Newfoundland and Labrador, to have investigated the title to ALL THAT piece or parcel of land situate, lying and being at Broom's Brook, Codroy Valley, District of St. George's, in the Province of Newfoundland and Labrador, and further bounded and described as set out in the Schedule "A" attached hereto; and for a Declaration that the said owners are the absolute owners thereof and the said owners have been ordered to publish notice of the Application as required by the above named Act.

All persons having title adverse to the said title claimed by the said Owners shall file with the Deputy Registrar of the Supreme Court of Newfoundland and Labrador, Trial Division, at Corner Brook, Newfoundland and Labrador, particulars of such adverse claim and serve the same together with an Affidavit verifying the same to the undersigned solicitors for the Owners, on or before the 3rd day of November, A.D., 2008, after which date no party having any claim shall be permitted to file the same or to be heard except by leave of the Court and subject to such terms and conditions as the Court may deem just.

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

DATED at Corner Brook, Newfoundland and Labrador, this 23rd day of September, A.D., 2008.

POOLE ALTHOUSE
Solicitors for the Applicants
PER: Katrina E. Warren

ADDRESS FOR SERVICE:
49 - 51 Park Street
P.O. Box 812
Corner Brook, NL
A2H 6H7

Oct 10

SCHEDULE "A"

Description of land surveyed for Leonard Downey, Brooms Brook, O'Regans, Newfoundland and Labrador

All that piece or parcel of land situate and being at O'Regan's, District of St. George's- Stephenville East, Newfoundland and Labrador, Canada abutted and bounded as follows:

That is to say, Beginning at a point being N 0° 32' 46" E a distance of 2687.33 metres from Control Monument number 84G4175,

Thence by Crown Land N 89° 38' 23" W a distance of 689.890 metres,

Thence N 33° 35' 43" E a distance of 94.719 metres,

Thence N 59° 04' 40" W a distance of 492.205 metres to a point in the limit of a Reservation, 15 metres wide, along Brooms Brook,

Thence following the said Reservation on a general northeasterly direction to a second point in the limit of the Reservation being N 40° 53' 08" E a distance of 2346.975 metres from the last mentioned point,

Thence by Crown Land S 47° 14' 52" E a distance of 1131.324 metres,

Thence S 41° 37' 37" W a distance of 784.297 metres,

Thence S 46° 08' 25" W a distance of 1091.061 metres to the point of beginning,

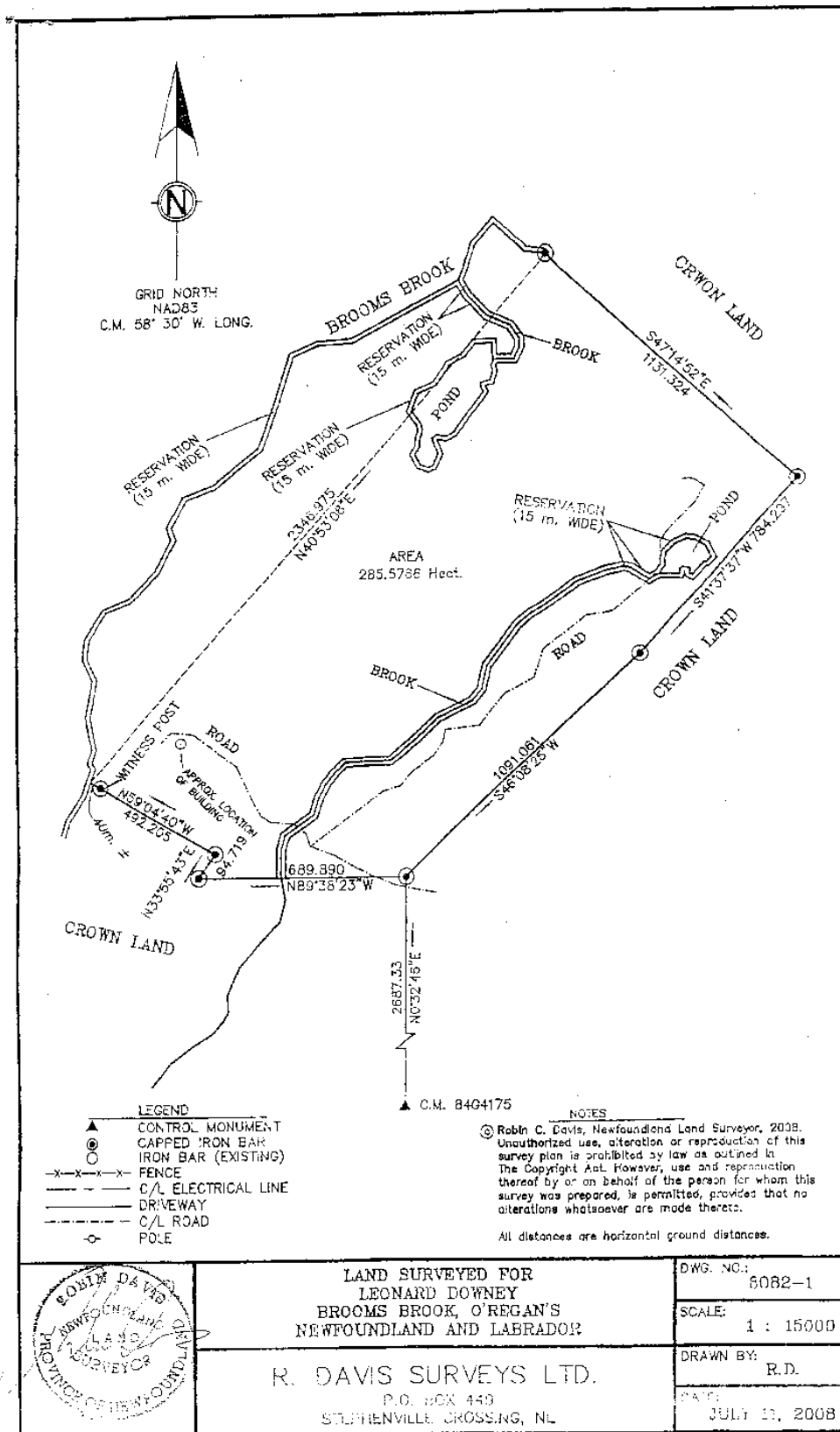
Reserving nevertheless from the above described parcel of land the land under two small ponds and two brooks as well as a Reservation, 15 metres wide, around the ponds and on either side of the two brooks as shown on the attached plan,

The herein described piece or parcel of land contains an area of 285.5766 Hectares and is more particularly delineated on the plan number 8082-1 hereto attached,

All bearings refer to the meridian of fifty-eight degrees thirty minutes west longitude of the Three Degree Transverse Mercator Projection (NAD83).

ROBIN C. DAVIS
Newfoundland Land Surveyor

July 11, 2008
Stephenville Crossing, NL



CHANGE OF NAME ACT

C-8 RSNL 1990

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

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

AMANDA LYNN GRANT

of 24 Diana Road, St. John's, A1B 1H8 in the Province of Newfoundland and Labrador, as follows:

To change my name from

AMANDA LYNN GRANT

to

AMANDA LYNN WALSH

DATED this 1st day of October, 2008.

AMANDA GRANT
(Signature of Applicant)

Oct 10

**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:-

TIFFANY MARY MEEHAN (GRIFFIN)

of 112A Paddy Dobbin Drive, St. John's, A1A 5E4 in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

KEIANNA AUTUMN MEEHAN

to

KEIANNA AUTUMN GRIFFIN

DATED this 29th day of September, 2008.

TIFFANY MARY MEEHAN (GRIFFIN)
(Signature of Applicant)

Oct 10s

**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:-

LISA MARIE BOLGER

of 5 Maple Apt # 8, Labrador City, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

KEYO KOLE BOLGER-BURKE

to

KEYO KOLE BOLGER

DATED this 25th day of September, 2008.

LISA MARIE BOLGER
(Signature of Applicant)

Oct 10



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

Vol. 83

ST. JOHN'S, FRIDAY, OCTOBER 10, 2008

No. 41

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 56/08
NLR 57/08



**NEWFOUNDLAND AND LABRADOR
REGULATION 56/08**

*Proclamation bringing Act into force
under
An Act to Amend the Provincial Court Act, 1991
(O.C. 2008-265)*

(Filed October 3, 2008)

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

JOHN C. CROSBIE
Lieutenant Governor

JEROME P. KENNEDY, Q.C.
Attorney General

TO ALL TO WHOM THESE PRESENTS SHALL COME,

GREETING;

A PROCLAMATION

WHEREAS in and by section 12 of “*An Act to Amend the Provincial Court Act, 1991*” SNL2008 c27 (the “Act”) it is provided that the Act or a section, subsection or paragraph of the Act shall come into force on a day or days to be fixed by Proclamation of Our Lieutenant Governor in Council;

AND WHEREAS it is deemed expedient that the Act shall come into force;

NOW KNOW YE, THAT WE, by and with the advice of Our Executive Council of Our Province of Newfoundland and Labrador, do by this our Proclamation declare and direct that “*An Act to Amend the Provincial Court Act, 1991*” SNL2008 c27, shall come into force on the date of publication in *The Newfoundland and Labrador Gazette*.

OF ALL WHICH OUR LOVING SUBJECTS AND ALL OTHERS whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

IN TESTIMONY WHEREOF WE have caused these Our Letters to be made Patent and the Great Seal of Newfoundland and Labrador to be hereunto affixed.

WITNESS: Our trusty and well-beloved the Honourable John Carnell Crosbie, Member of the Privy Council of Canada, Officer of the Order of Canada, Chancellor of the Order of Newfoundland and Labrador, and one of Her Majesty's Counsel learned in the law, Lieutenant Governor in and for Our Province of Newfoundland and Labrador.

AT OUR GOVERNMENT HOUSE in Our City of St. John's, this 3rd day of October in the year of Our Lord two thousand and eight in the fifty-seventh year of Our Reign.

BY COMMAND,

BAXTER ROSE
Registrar General



NEWFOUNDLAND AND LABRADOR REGULATION 57/08

Pharmaceutical Services Regulations
under the
Pharmaceutical Services Act

(Filed October 8, 2008)

Under the authority of section 52 of the *Pharmaceutical Services Act*, I make the following regulations.

Dated at St. John's, October 7, 2008.

Ross Wiseman
Minister of Health and Community Services

REGULATIONS

Analysis

- | | |
|---|-------------------------------|
| 1. Short title | 7. Officers |
| 2. Definitions | 8. Review committee appointed |
| 3. Benefits list | 9. Terms of reference |
| 4. Prescription of drugs on tamper resistant pads | 10. Duties |
| 5. Information required | 11. Rules and procedures |
| 6. Refills | |

Short title

1. These regulations may be cited as the *Pharmaceutical Services Regulations*.

Definitions

2. In these regulations

- (a) "Act" means the *Pharmaceutical Services Act*;
- (b) "benefits list" means the benefits list established by the minister and contained in the Coverage Status Table;
- (c) "committee" means the Pharmaceutical Audit Review Committee appointed under section 34 of the Act;
- (d) "formulary" means the Interchangeable Drug Products Formulary established by the minister; and
- (e) "program" means the Newfoundland and Labrador Prescription Drug Program.

Benefits list

3. (1) A benefits list is established for drugs and related products which may be covered under the program in accordance with a person's eligibility for those benefits.

(2) The benefits list as contained in the Coverage Status Table is on file with the minister and may be obtained from the offices of the program.

(3) The effective date of coverage for drugs and related products for which a person may be eligible shall be specified in the Coverage Status Table.

Prescription of drugs on tamper resistant pads

4. (1) A list of drugs is established, the prescription of which shall require the use of tamper resistant drug pads.

(2) The list referred to in subsection (1) is on file with the minister and may be obtained from the offices of the program.

Information required

5. (1) In prescribing a drug for which the use of a tamper resistant drug pad is required, the following information shall be included:

- (a) the complete name and address of the person for whom the drug is prescribed;
- (b) the medical care insurance number of the person for whom the drug is prescribed, except where the prescription is made under the authority of the *Veterinary Medical Act, 2004*;

(c) notwithstanding paragraph (b), where a person for whom a drug is prescribed is

(i) covered under the health insurance plan of another province or territory, the person's health insurance number, or

(ii) a member of the Canadian Forces or the Royal Canadian Mounted Police, the member service number of that person;

(d) the name of the drug being prescribed, the quantity, strength and dosage of the drug and specific instructions for the use of that drug;

(e) the prescriber's license number clearly printed; and

(f) the signature of the prescriber and the date of the prescription in the format DD/MM/YY.

(2) The quantity and dosage of drugs prescribed on tamper resistant drug pads shall be entered in both written and numerical forms.

(3) A maximum of 2 drugs shall be entered on each prescription form.

(4) Approved prescription pads shall contain a pre-printed serial number and prescriber identification information.

Refills

6. (1) A narcotic which has been prescribed using a tamper resistant drug pad shall not be refilled.

(2) Notwithstanding subsection (1), drugs prescribed using tamper resistant drug pads may be part filled where

(a) the total quantity of the drug;

(b) the quantity of each fill; and

(c) the time interval between fills

is specifically indicated on the prescription.

(3) Where a drug prescribed using a tamper resistant drug pad has been part filled under subsection (2), a pharmacist shall make a record of that action in the patient's file.

Officers

7. An employee of the department is an officer for the purpose of the Act.

Review committee
appointed

8. (1) The Pharmaceutical Audit Review Committee is appointed to review and advise upon matters referred to it by the minister under Part VI of the Act.

(2) The committee shall be composed of 7 members:

(a) the director of the Pharmaceutical Services Division;

(b) a physician of the Physician Services Division;

(c) the manager of program policy and professional services at the Pharmaceutical Services Division;

(d) 3 pharmacists who are not employees of the department appointed by the minister; and

(e) a chartered accountant, certified general accountant or certified management accountant appointed by the minister.

(3) The member appointed under paragraph (2)(e) shall chair the committee.

(4) Members of the committee referred to in paragraphs (2)(d) and (e) may serve a term as prescribed in their appointment to a maximum of 3 years, but where a member's term of office has expired, that member may continue to be a member of the committee until replaced or reappointed.

(5) Remuneration of members of the committee appointed under paragraphs (2)(d) and (e) shall be according to Treasury Board guidelines.

(6) The committee shall meet at the call of the chair.

(7) Quorum of the committee is 4 or more members, provided 2 external members and one departmental member are present.

Terms of reference	<p>9. (1) The terms of reference for the committee shall be, where the minister refers an audit of a provider's billings to the program to the committee for professional review, to carry out that review and provide recommendations on it to the minister.</p>
	<p>(2) The committee may, where it considers it is necessary, invite legal counsel to attend and provide advice to the committee in its review of a matter, and any person so invited shall comply with subsection 10(1).</p>
Duties	<p>10. (1) Matters reviewed by the committee and the deliberations of the committee shall be held in confidence and, where possible, matters shall be reviewed and considered using non-identifying information.</p> <p>(2) The committee shall, in its review and recommendations, abide by and comply with the Act, any regulations under the Act, the policies of the department and any terms and conditions of applicable provider agreements.</p>
Rules and procedures	<p>11. The committee may establish rules and procedures for its operations.</p>

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PART II

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Pharmaceutical Services Act			
Pharmaceutical Services Regulations	NLR 57/08	New	Oct 10/08, p. 379

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