

This issue does not
contain any
Subordinate Legislation



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 84

ST. JOHN'S, FRIDAY, MARCH 13, 2009

No. 11

JUDICATURE ACT

Rules of the Supreme Court, 1986 PRACTICE NOTE P.N. (TD and UFC) No. 2009-01

DATE ISSUED: March 1, 2009
STATUTE AFFECTED: *Family Law Act*, R.S.N.L. 1990, c. F-2, s. 42, 65(5)
RULES AFFECTED: None
EFFECTIVE DATE: Upon publication

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 Unified Family Court, and is published consistent with rule 4.04 of the *Rules of the Supreme Court, 1986*:

FILING OF DOMESTIC CONTRACTS *Family Law Act*, RSNL 1990 c.F-2

Background

1. There is inconsistent practice in Supreme Court of Newfoundland and Labrador, Unified Family Court and Trial Division, with respect to the filing of domestic contracts (marriage contracts, separation agreements, cohabitation agreements and paternity agreements) pursuant to the *Family Law Act*, RSNL 1990 c.F-2.

2. The inconsistent practice includes: filing the domestic contract with the court clerk with no supporting affidavit; filing the domestic contract with a supporting affidavit; and filing the domestic contract with a supporting affidavit and a draft Order. In some cases an order has been made by the court directing that the contract be filed in the court and in some cases the contract has been filed without an order.
3. In order to bring about consistency in family law practice in the courts throughout the Province, the following practice note has been prepared.

Practice Note

4. When a party wishes to file a domestic contract (including a marriage contract, separation agreement, cohabitation agreement or paternity agreement) in the Unified Family Court or the Trial Division, an affidavit must accompany the agreement proposed for filing.
5. The affidavit of at least one of the parties shall identify the agreement and state that it is in effect and has not been set aside or varied by a court or agreement of the parties.
6. The affidavit may take the form of the affidavit attached to this Practice Note as Schedule "A".
7. The provisions of a domestic contract filed in this manner may, without more, be enforced as an order of the court in accordance with the provisions of the *Family Law Act*.

AUTHORIZED BY:

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

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

SCHEDULE "A"
IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION/UNIFIED FAMILY COURT

In the matter of a Domestic Contract pursuant to the Family Law Act

BETWEEN: Applicant

AND: Respondent

AFFIDAVIT PER SECTIONS 42 and 65(5) OF THE FAMILY LAW ACT

I, _____ of _____, Newfoundland and Labrador, make oath and say that:

1. I have read the attached agreement between _____, and me
and it is in effect and has not been set aside or varied by a court or agreement of the parties.

Sworn to at
in the Province of Newfoundland and Labrador,
this _____ day of _____, 20____ before me:

Mar 13

URBAN AND RURAL PLANNING ACT

**TOWN OF GLOVERTOWN
MUNICIPAL PLAN AMENDMENT NO. 2, 2008
AND
DEVELOPMENT REGULATIONS
AMENDMENT NO. 2, 2008**

TAKE NOTICE that the Town of Glovertown Municipal Plan Amendment No. 2, 2008 and Development Regulations Amendment No. 2, 2008 as adopted on the 26th day of November, 2008 and approved on the 14th day of January, 2009, have been registered by the Minister of Municipal Affairs.

In general terms the purpose of the amendments is to accommodate a residential subdivision between the Terra View Drive – Bayview Heights area and Northwest Brook by changing the Plan Designation and the Development Regulations Zone from Rural Resource to Residential Medium Density. This development would retain the 15 metre crown land reservation along Northwest Brook

The Municipal Plan Amendment No. 2, 2008 and Development Regulations Amendment No. 2, 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 Glovertown Municipal Plan Amendment No. 2, 2008 and Development Regulations Amendment No. 2, 2008 may do so at the Glovertown Town Office during normal working hours.

TOWN OF GLOVERTOWN
Joanne Perry, Town Clerk

Mar 13

**NOTICE OF REGISTRATION
TOWN OF GRAND FALLS – WINDSOR
MUNICIPAL PLAN AMENDMENT NO. 2, 2008
AND DEVELOPMENT REGULATIONS
AMENDMENT NO. 4, 2008**

TAKE NOTICE that the Town of Grand Falls – Windsor Municipal Plan Amendment No. 2, 2008 and Development Regulations Amendment No. 4, 2008, adopted on the 18th day of November 2008, (as amended) and approved on the 9th day of December 2008, has been registered by the Minister of Municipal Affairs.

In general terms, the purpose of Municipal Plan Amendment No. 2, 2008 is to re-designate approximately 0.3 hectares of land at 2 Southcott Drive from “Commercial” to “Residential”.

In general terms, the purpose of Development Regulations Amendment No. 4, 2008 is to rezone the property at 2 Southcott Drive from “Commercial Neighbourhood” to “Residential Low Density” and list a “Double Dwelling” as a Discretionary Use in this zone.

The Grand Falls – Windsor Municipal Plan Amendment No. 2, 2008 and Development Regulations Amendment No. 4, 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 Grand Falls – Windsor Municipal Plan Amendment No. 2, 2008 and Development Regulations Amendment No. 4, 2008 may do so at the Town Office, 5 High Street, Grand Falls – Windsor, NL during normal working hours.

TOWN OF GRAND FALLS-WINDSOR
Michael Pinsent, Town Clerk

P. O. # 010847
Mar 13

**NOTICE OF REGISTRATION
TOWN OF NAIN
DEVELOPMENT REGULATIONS
AMENDMENT No.1, 2008**

TAKE NOTICE that the Town of Nain Development Regulations Amendment No.1, 2008 adopted on the 28th day of October, 2008 has been registered by the Minister of Municipal Affairs.

In general term, the purpose of Development Regulations Amendment No.1, 2008 is to add “Property Caretakers Residence” to the list of uses in the Discretionary Use Classes for the Industrial Zone, and add the following condition to the said zone :

7. A property caretaker’s residence use in the IND zone shall be subject to the following requirements:
 - a) Such residence may be approved or continued only where a non-conforming residential use exists and only for the purpose of enabling reconstruction or replacement which would not be otherwise allowed pursuant to the Development Regulations
 - b) Only one single dwelling is permitted on the lot
 - c) The dwelling is to be occupied only by an employee or agent of the owner or operator of the industrial use located on the lot
 - d) Requirements concerning use of the structure as a dwelling shall comply with the Conditions applicable to single dwellings in the Residential (RES) Zone

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

TOWN OF NAIN
Dasi Ikkusek, Town Manager

Mar 13

NOTICE OF REGISTRATION
TOWN OF PARADISE
DEVELOPMENT REGULATIONS
AMENDMENT #39-2009

Take notice that the Town of Paradise Municipal Development Regulations Amendment No. 39 – 2009, adopted on the 3rd day of February 2009, has been registered by the Minister of Municipal Affairs.

In general terms, this Development Regulations Amendment allows educational facilities to be considered as discretionary uses within Residential Medium Density and Residential High Density zones.

The amendment comes into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone wishing to inspect a copy of Development Regulations Amendments No. 39 – 2008, may do so at the Paradise Town Hall, 28 McNamara Drive, during normal hours of operation.

TOWN OF PARADISE
Joyce Moss, Town Clerk

P. O. # 20627
Mar 13

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

TAKE NOTICE that the Town of Placentia Municipal Plan Amendment No. 1, 2008 and Development Regulations Amendment No. 1, 2008 adopted on the 20th day of January 2008 (as amended) and approved on the 20th day of January, 2008 have been registered by the Minister of Municipal Affairs.

In general terms, the purpose of the Municipal Plan Amendment No. 1, 2008 is to accommodate windmills and wind farms and similar uses in the Rural and Protected Water Supply designations and zones as a discretionary use. The relevant sections of the Municipal Plan are clarified and updated.

In general terms, the Development Regulations Amendment No. 1, 2008 is enacted to comply with Amendment No. 1, 2008 of the Placentia Municipal Plan.

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

TOWN OF PLACENTIA
Ed O'Keefe, CAO

Mar 13

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:-

LEOLA CATHERINE LEGGE (MITCHELL)

of 205 Robinsons Road, Robinsons, NL, in the Province of Newfoundland and Labrador, as follows:

To change my name from

LEOLA CATHERINE LEGGE (MITCHELL)
to
CATHERINE LEOLA MITCHELL-HURST

DATED this 26th day of February, 2009.

LEOLA CATHERINE LEGGE (MITCHELL)
(Signature of Applicant)

Mar 13

**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:-

HELEN ANN BUTT

of 5 Fir Terrace, Corner Brook, A2H 5T1, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

RANDY GEORGE RYAN
to
RANDY GEORGE BUTT

DATED this 6th day of March, 2009.

HELEN ANN BUTT
(Signature of Applicant)

Mar 13

**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:-

JESSIE STELLA DORIS DOLLARD (BURT)

of P. O. Box 507, Botwood, A0H 1E0, in the Province of Newfoundland and Labrador, as follows:

To change my from

JESSIE STELLA DORIS DOLLARD (BURT)

to

JESSIE STELLA DORIS DOLLAND (BURT)

DATED this 25th day of February, 2009.

JESSIE STELLA DORIS DOLLARD (BURT)
(Signature of Applicant)

Mar 13

**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:-

STEPHANIE JOANNE WHYNOTT

of 12 Sweetapple Drive, Mount Moriah, in the Province of Newfoundland and Labrador, as follows:

To change my name from

STEPHANIE JOANNE WHYNOTT

to

STEPHANIE JOANNE ELLSWORTH

DATED this 4th day of March, 2009.

STEPHANIE JOANNE WHYNOTT
(Signature of Applicant)

Mar 13

**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:-

ANTHONY FRANCIS WALLACE COADY

of P. O. Box 752, Bayview Street, Marystown, A0E 2M0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

JACK CAMERON JARVIS

to

JACK ANTHONY JARVIS COADY

DATED this 2nd day of March, 2009.

ANTHONY FRANCIS WALLACE COADY
(Signature of Applicant)

Mar 13

**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:-

STEPHANIE PATRICIA MARIE O'REILLY

of 18 Scott Street, Apt 2, St. John's, A1C 2P7 in the Province of Newfoundland and Labrador, as follows:

To change my name from

STEPHANIE PATRICIA MARIE O'REILLY

to

STEPHANIE PATRICIA MARIE HOLLAHAN

DATED this 2nd day of March, 2009.

STEPHANIE PATRICIA MARIE O'REILLY
(Signature of Applicant)

Apr 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:-

PATRICK NICHOLAS JARVIS

of 26 Pondview Court, St. John's, A1E 4V7, in the Province of Newfoundland and Labrador, as follows:

To change my name from

PATRICK NICHOLAS JARVIS

to

PATRICK NICHOLAS HARDING

DATED this 5th day of March, 2009.

PATRICK NICHOLAS JARVIS
(Signature of Applicant)

Mar 13

Legal Name Changes
Processed During the Period
FEBRUARY, 2009

Under the authority vested in me by The Change of Name Act, Chapter C-8 of The Revised Statutes of Newfoundland, 1990, I hereby certify that the following names have been changed.

<u>Former Name</u>	<u>Present Name</u>	<u>Address</u>	<u>District</u>
Stevenson, Leigh Ann	Kavanagh, Leigh-Ann	St. John's	St. John's West
Beresford, Tiffany Deann Lorraine	Hodder, Tiffany Deann Lorraine Beresford	Grand Falls-Windsor	Grand Falls-Buchans
Benoit, Michael Joseph	Bennett, Michael Joseph	Stephenville Crossing	Bay St. George
Berry, Chloe Barbara Sarah	Tremblott, Chloe Barbara Sarah	Bonavista	Bonavista South
Stansford, Paula Suzanne	Stanford, Paula Suzanne	St. John's	Signal Hill-Quidi Vidi
Yaqoob, Nabeela	Qureshi, Nabila Yaqoob	St. John's	Virginia Waters
Sultana, Jesmin	Alam, Jesmin S.	St. John's	St. John's Centre
Shaheer, Shahbad Muhthady	Alam, Shahbad M. S.	St. John's	St. John's Centre
Carberry, Brandon James Gregory	Chaffey, Brandon James Gregory	Kelligrews	Conception Bay South
Short, Terrence	Carter, Terrence	Pasadena	Humber East
Fizzard, Jody Dean	Savoury, Jody Dean	Belleoram	Fortune Bay-Cape La Hune
Tuktusina, Steve Arthur	Tooktooshina, Steve Arthur	Menihok	Labrador West
Brown-Cooze, Julian Jeremiah Garrett	Brown, Julian Garrett	Gander	Gander
Tobin, Jason Charles	King, Jason Charles	St. George's	St. George's-Stephenville East
Pearce, John Clarence Elmo	Smith, John Leonard Sidney Penney	Gander	Gander
Ryan-Burby, Tyler Robert	Ryan, Tyler Robert	St. John's	St. John's West

Dated this 5 day of MARCH, 2009



Ken Mullaly
Registrar (A), Vital Statistics Division
Department of Government Services

MOTOR CARRIER ACT

**IN THE MATTER OF THE *MOTOR CARRIER ACT*,
cM-19, RSNL 1990
AND
IN THE MATTER OF THE APPLICATION FOR A
MOTOR CARRIER CERTIFICATE**

NOTICE OF APPLICATION

TAKE NOTICE that JAMAR TRANSPORT LIMITED, P. O. Box 400, 6 Third Avenue, Badger, NL, A0H 1A0, has applied to the Board of Commissioners of Public Utilities under the provisions of the *Motor Carrier Act*, cM-19, RSNL 1990, for the issuance of a Certificate as a motor carrier to provide the following services:

*REGULAR PUBLIC PASSENGER BUS SERVICE
for the transportation of passengers and
their baggage at separate fares*

from St. John's to Port aux Basques and the reverse thereof via Highway Route 1. This authority will include pick up and drop off privileges at intermediate points enroute.

The Board, having reviewed the application, has granted provisional approval and shall issue said Certificate, unless a person who objects to the application files with the Board a notice of objection to the application together with a written statement setting out in full the reasons why the application should be denied and relevant documentary evidence. The objector must also serve on the applicant a copy of the notice of objection, the statement of reasons and the relevant documentary evidence filed with the Board by personal service or by prepaid, registered mail, at the address shown on the application, and proof of service must be supplied to the Board.

The evidence to be submitted must be received by the Board within twenty days of the date of the publication of this notice, at the office of the Board at Suite East 210, Prince Charles Building, Torbay Road, St. John's, NL or by mail to P. O. Box 21040, St. John's, NL A1A 5B2.

Dated at Badger, NL, this 23rd day of February, 2009.

JASON HURLEY
Signature of Applicant

Mar 13

TRUSTEE ACT

ESTATE NOTICE

IN THE MATTER OF the Estate of JAMES ANDREW MAHONEY, late of St. John's in the Province of Newfoundland and Labrador, Retired Director, Deceased.

All persons claiming to be creditors of, or who have any claims or demands upon or affecting the Estate of the above named JAMES ANDREW MAHONEY, Deceased, are

hereby requested to send particulars of same, in writing, duly attested, to the undersigned Solicitors for the Executor of the Estate of the said JAMES ANDREW MAHONEY, on or before the 13th day of April, 2009, after which date the Executor will proceed to distribute the said Estate, having regard only to the claims of which he then shall have had notice.

DATED at St. John's, Newfoundland and Labrador, this 6th day of March, 2009.

BENSON MYLES PLC INC.
Solicitors for the Executor
PER: Christopher D.G. Pike

ADDRESS FOR SERVICE
Suite 900, Atlantic Place
215 Water Street
P.O. Box 1538
St. John's, NL A1C 5N8
Tel: 709-579-5081
Fax: 709-739-8184

Mar 13

ESTATE NOTICE

IN THE MATTER OF the CECIL DIAMOND, late of Change Islands, 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 CECIL DIAMOND who died at Change Islands, NL on or about December 25th, 2009, are hereby requested to send particulars thereof in writing, duly attested, to the Registrar Supreme Court, Viking Building, 136 Crosbie Road, Suite 401, St. John's, NL, A1B 3K3, Administrator of the Estate of CECIL DIAMOND on or before April 3rd, 2009, 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 2nd day of March, 2009

REGISTRAR OF THE SUPREME COURT,
Administrator of the Estate of
Cecil Diamond
PER: Anne Marie Green

ADDRESS FOR SERVICE:
Viking Building
136 Crosbie Road, Suite 401
St. John's, NL, A1B 3K3
Tel: 709-729-2548
Fax: 709-729-3063

Mar 13



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

Vol. 84

ST. JOHN'S, FRIDAY, MARCH 13, 2009

No. 11

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PART II

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