



# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART I

PUBLISHED BY AUTHORITY

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Vol. 84 ST. JOHN'S, FRIDAY, JULY 31, 2009 No. 31

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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 008556M  
Held by South Coast Ventures Inc  
Situates near Greenwood Pond, Central NL  
On map sheet 02D/11

A portion of license 015219M  
Held by Clode Sound Resources Inc  
Situates near Tug Pond, Eastern NL  
On map sheet 02D/01  
more particularly described in an application on file at Department of Natural Resources

Mineral License 010177M  
Held by Stone, Albert  
Situates near Marystown, Burin Peninsula  
On map sheet 01M/03

Mineral License 010221M  
Held by Beaver Brook  
Antimony Mine Inc.

Situates near Northwest Gander River,  
Central NL  
On map sheet 02D/11  
Note that no claims will come open – converted to a mining lease.

Mineral License 010602M  
Held by Alterra Resources Inc.  
Situates near Crooked Lake, Central NL  
On map sheet 12H/01

Mineral License 011753M  
Held by Fraser, Garry B.  
Situates near Jacksons Arm,  
White Bay Area  
On map sheet 12H/15

Mineral License 011896M  
Held by Landmark Minerals Inc.  
Situates near Dunns Mountain, Southern NL  
On map sheet 01M/15

A portion of license 015217M  
Held by Tripple Uranium  
Resources Inc.  
Situates near Alexis River  
On map sheet 13A/10 13A/15 13A/14  
more particularly described in an application on file at Department of Natural Resources

A portion of license 012236M  
Held by Tripple Uranium  
Resources Inc.

Situate near Alexis River  
On map sheet 13A/10  
more particularly described in an application on file at Department of Natural Resources

A portion of license 015296M  
Held by Pathfinder Resources Ltd.  
Situate near Cochrane Pond, Southern NL  
On map sheet 11P/14 12A/03  
more particularly described in an application on file at Department of Natural Resources

A portion of license 015294M  
Held by Commander Resources Ltd.  
Situate near Couteau Lake, Southern NL  
On map sheet 11P/13  
more particularly described in an application on file at Department of Natural Resources

Mineral License 013058M  
Held by Noel, Nathaniel  
Situate near Northwest Gander River, Central NL  
On map sheet 02D/11

Mineral License 013361M  
Held by Bayswater Ventures Corp.  
Situate near Kaipokok River  
On map sheet 13K/10

Mineral License 013398M  
Held by King, David  
Situate near Terra Nova North River, Eastern NL  
On map sheet 02D/07

Mineral License 014841M  
Held by Knight, Kenneth  
Situate near Thorburn Lake, Eastern NL  
On map sheet 02D/08

Mineral License 014842M  
Held by Knight, Kenneth  
Situate near Barton, Eastern NL  
On map sheet 02C/04

Mineral License 014850M  
Held by Stead, Timothy R.  
Situate near Bunyans Cove, Eastern NL  
On map sheet 02C/05 02D/08

Mineral License 014853M  
Held by Guinchard, Wayde  
Situate near Gander Lake, Central NL  
On map sheet 02D/16

Mineral License 014857M  
Held by LeDrew, Donald  
Situate near Wilding Lake, Central NL  
On map sheet 12A/07

Mineral License 014858M  
Held by Fancey, Derrick  
Situate near Wilding Lake, Central NL  
On map sheet 12A/07

Mineral License 014880M  
Held by Noel, Nathaniel  
Situate near Davis Pond, Central NL  
On map sheet 12H/09

Mineral License 014886M  
Held by 10565 Nfld Inc  
Situate near Colville Lake  
On map sheet 23H/12

Mineral License 014888M  
Held by White Bear Resources Incorporated  
Situate near Astray Lake  
On map sheet 23J/10

Mineral License 014889M  
Held by White Bear Resources Incorporated  
Situate near Astray Lake  
On map sheet 23J/10

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, 8/2008 and 28/2009 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.

JIM HINCHEY P.GEO  
Manager - Mineral Rights

774:4620, 5244, 5627, 5666, 5908, 6770, 6893, 7147, 7158, 7182, 7188, 7916, 8213, 8244, 9517, 9518, 9526, 9527, 9530, 9531, 9540, 9546, 9548, 9549

July 31

**URBAN AND RURAL PLANNING ACT**

**NOTICE OF REGISTRATION  
TOWN OF CONCEPTION BAY SOUTH  
DEVELOPMENT REGULATIONS  
AMENDMENT NO. 37, 2009**

Take notice that the Town of Conception Bay South Development Regulations Amendment No. 37, 2009, approved by the Town Council of Conception Bay South on June 16th, 2009, has now been registered by the Minister of Municipal Affairs.

In general terms, this amendment adds single dwellings as a permitted use in the Industrial General (IG) use zone table with conditions that restrict development to the expansion, renovation and replacement of existing single dwellings only. This amendment is intended to recognize existing dwellings in the Industrial General (IG) zone on Church Road, Oakes Lane, Jones Lane and Maywood Place.

The Conception Bay South Development Regulations Amendments No. 37, 2009 will come into effect on the date of publication of this notice in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of this amendment may do so at the Town Office, during normal working hours.

TOWN OF CONCEPTION BAY SOUTH  
Elaine Mitchell, MCIP  
Director of Planning

July 31

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**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:

CATHY ANN (DYKE) PITTMAN

of 5A Medley Place, Mount Pearl, A1N 3T3 in the Province of Newfoundland and Labrador, as follows:

To change my name from

CATHY ANN (DYKE) PITTMAN  
to  
CATHY ANN PYNN (DYKE)

DATED this 20<sup>th</sup> day of July, 2009.

CATHY ANN (DYKE) PITTMAN  
(Signature of Applicant)

July 31

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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:

JASON MICHAEL STACEY

of 29A Kelland Crescent, St. John's, A1E 6E9 in the Province of Newfoundland and Labrador, as follows:

To change my name from

JASON MICHAEL STACEY  
to  
JASON MICHAEL SHEA

DATED this 20<sup>th</sup> day of July, 2009.

JASON MICHAEL STACEY  
(Signature of Applicant)

July 31

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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:

MELISSA MARY DYSON

of 764 Stirling Crescent, Labrador City, A2V 1Z3, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

KYLE AYDEN THOMAS BURDEN  
to  
KYLE AYDEN THOMAS DYSON

DATED this 17<sup>th</sup> day of July, 2009.

MELISSA MARY DYSON  
(Signature of Applicant)

July 31

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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:

TANYA ANN CLARKE

of 56 Fifth Avenue, Deer Lake, A8A 1J9 in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

JESSICA LYNN LEWIS  
to  
JESSICA LYNN CLARKE

DATED this 16<sup>th</sup> day of July, 2009.

TANYA ANN CLARKE  
(Signature of Applicant)

July 31

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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:

MARJORIE ELIZABETH BISHOP

of Box 156, 18 Shaws Lane, Clarke's Beach, A0A 1W0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

BRANDON DAVID CYRIL HOWARD FOWLER  
to  
BRANDON DAVID CYRIL HOWARD

FOWLER-JENKINS

DATED this 15<sup>th</sup> day of July, 2009.

MARJORIE ELIZABETH BISHOP  
(Signature of Applicant)

July 31

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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 NICOLE MCVEAN

of 108 Hamlyn Road, St. John's, A1E 4J6 in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

LEAH DIAN MCVEAN-NOSEWORTHY

to

LEAH DIAN MCVEAN

DATED this 22<sup>nd</sup> day of July, 2009.

ASHLEY NICOLE MCVEAN  
(Signature of Applicant)

July 31

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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:

SYED ASAD SABIR NAQVI

of 206-500 Bartlett Drive, Labrador City, A2V 1G4 in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

SHABIH-E-ZAHRA

to

ZAHRA ASAD

DATED this 16<sup>th</sup> day of July, 2009.

SYED ASAD SABIR NAQVI  
(Signature of Applicant)

July 31

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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:

GERARD M. DUNPHY

of 2 Crowley Place, Torbay, A1K 1G8 in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

MENG XIANG YE

to

MEGAN XIANG DUNPHY

DATED this 24<sup>th</sup> day of July, 2009.

GERARD M. DUNPHY  
(Signature of Applicant)

July 31

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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:

MARIE ALMA CORNECK (HOUSE)

of P.O. Box 172, Port Saunders, A0K 4H0 in the Province of Newfoundland and Labrador, as follows:

To change my name from

MARIE ALMA CORNECK

to

ALMA MARIE CORNICK

DATED this 21<sup>st</sup> day of July, 2009.

MARIE ALMA CORNECK (HOUSE)  
(Signature of Applicant)

July 31

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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:

CORINNA MARCELLA WAKEHAM

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

To change my name from

CORINNA MARCELLA WAKEHAM

to

CORRINA MARCELLA REID

DATED this 28<sup>th</sup> day of July, 2009.

CORINNA MARCELLA WAKEHAM  
(Signature of Applicant)

July 31

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**LANDS ACT**

**NOTICE OF INTENT**

**LANDS ACT, c36, SNL 1991**

Notice is hereby given that AUSTIN B. ROGERS of 141 Fisher Crescent, Fort McMurray, Alberta, T9K 0B8 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 Southwest Arm, Trinity Bay, in the Electoral District of Bonavista North for the purpose of a Boathouse and Wharf and being more particularly described as follows:

*Bounded on the North by Crown Land (Trees)  
for a distance of 100 m;  
Bounded on the East by Crown Land (Saltwater)  
for a distance of 15 m;  
Bounded on the South by Crown Land (Trees)  
for a distance of 100 m  
Bounded on the West by Crown Land (Trees)  
for a distance of 15 m;  
and containing an area of  
approximately 1500 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, and mail to the nearest Regional Lands Office:

c/o Eastern Regional Lands Office, P. O. Box 8700, 5 Mews Place, St. John's, NL, A1B 4J6.

c/o Central Regional Lands Office, P. O. Box 2222, Gander, NL, A1V 2N9.

c/o Western Regional Lands Office, P. O. Box 2006, Noton Building, Corner Brook, NL, A2H 6J8.

c/o Labrador Regional Lands Office, P. O. Box 3014, Station "B", Happy Valley-Goose Bay, NL A0P 1E0.

For further information on the proposed application, please contact AUSTIN ROGERS Telephone (780) 713-6353.

July 31

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**NOTICE OF INTENT**

**LANDS ACT, c36, SNL 1991**

Notice is hereby given that JACQUELINE BUTLER of Conception Bay South 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 Hodgewater Pond, in the Electoral District of Placentia-St. Mary's for the purpose of constructing a trail and wharf and being more particularly described as follows:

*Bounded on the North by Jacqueline Butler  
for a distance of 29.931 m;  
Bounded on the East by Crown Land  
for a distance of 60 m;  
Bounded on the South by a Gully  
for a distance of 20.1 m;  
Bounded on the West by Crown Land  
for a distance of 67.25 m;  
and containing an area of  
approximately 1500 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, and mail to the nearest Regional Lands Office:

c/o Eastern Regional Lands Office, P. O. Box 8700, 5 Mews Place, St. John's, NL, A1B 4J6.

c/o Central Regional Lands Office, P. O. Box 2222, Gander, NL, A1V 2N9.

c/o Western Regional Lands Office, P. O. Box 2006, Noton Building, Corner Brook, NL, A2H 6J8.

c/o Labrador Regional Lands Office, P. O. Box 3014, Station "B", Happy Valley-Goose Bay, NL A0P 1E0.

For further information on the proposed application, please contact JACQUELINE BUTLER Telephone (709) 834-9424.

July 31

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**QUIETING OF TITLES ACT**

**2009 01T No. 2894  
IN THE SUPREME COURT OF  
NEWFOUNDLAND AND LABRADOR  
TRIAL DIVISION**

IN THE MATTER OF the application of GENEVA NORRIS pursuant to the *Quieting of Titles Act*, cQ-3 of the RSNL, 1990

AND

IN THE MATTER OF certain pieces or parcels of land situate at George's Brook in the Province of Newfoundland and Labrador

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

Notice is hereby given to all parties that Geneva Norris of Clarendville in the Province of Newfoundland and Labrador have applied to the Supreme Court of Newfoundland and Labrador, St. John's, to have the title to ALL THOSE pieces or parcels of land situate at George's Brook in the Province of Newfoundland and Labrador, being more particularly described and delineated in Schedule "A" hereunto annexed and which forms part of this Notice, of which the said Geneva Norris claims on her behalf to be the owner, investigated and for a declaration that the said

Geneva Norris is the absolute owner in fee simple thereof, subject to the rights to those claiming through her and the Honourable Justice Valerie Marshall having ordered Notice of the said Application to be published as required by the above named Act.

All persons having title adverse to the said title claimed by the Applicant shall file in the Registry of the Supreme Court at St. John's particulars of such adverse claim and serve the same together with an Affidavit verifying the same on the undersigned Solicitors for the Applicant on or before the 13<sup>th</sup> day of August 2009 after which date no party having any claim shall be permitted to file same or to be heard except by special leave of the Court and subject to such conditions as the Court may deem just.

DATED at Bay Roberts in the Province of Newfoundland and Labrador this 17<sup>th</sup> day of June, 2009.

MOORES ANDREWS COLLINS  
Solicitors for the Applicant  
PER: Douglas Moores, Q.C.

ADDRESS FOR SERVICE  
268 Conception Bay Highway  
P.O. Box 806  
Bay Roberts, NL  
A0A 1G0

**SCHEDULE "A"**

PARCEL "A"  
GENEVA NORRIS  
GEORGES BROOK, NL  
JOB NO 09-007-A

ALL THAT piece or parcel of land situate at Georges Brook, in the Electoral District of Trinity North, in the Province of Newfoundland and Labrador, abutted and bounded as follows, that is to say:

BEGINNING at a point the said point having Grid Coordinates North 5 343 476.961, East 233 267. 792 as referenced to the meridian of (53) degrees west longitude of the Three Degree Transverse Mercator Projection (NAD83-1998 adjustment);

THENCE running along the northeasterly limit of Route 230-A, (20.0) metres wide, following a curve with a radius of (520.000) metres, for an arc distance of (26.670) metres to a point being distant (26.667) metres, as measured on a bearing of north (53) degrees (06) minutes (22) seconds west from the point of beginning;

THENCE north (54) degrees (34) minutes (31) seconds west, a distance of (44.858) metres;

THENCE following a curve with a radius of (285.000) metres, for an arc distance of (71.640) metres to a point being distant (71.452) metres, as measured on a bearing of north (47) degrees (22) minutes (27) seconds west from the previously described point;

THENCE, following a curve with a radius of (80.000) metres, for an arc distance of (34.870) metres to a point being distant (34.594) metres, as measured on a bearing of

north (27) degrees (41) minutes (10) seconds west from the previously described point;

THENCE, running by land occupied by David Stanley, north (81) degrees (00) minutes (34) seconds east, a distance of (38.147) metres;

THENCE, running by the aforesaid land occupied by David Stanley, and through a portion of the Right of Way of the former Canadian National Railway, (15.24) metres wide (now Provincial Crown Land), south (80) degrees (20) minutes (17) seconds east, a distance of (31.051) metres;

THENCE, running in a generally southeasterly direction along the limit of a Reservation (10.0) metres wide, extending along the shore of Smith Sound, for a distance of (133.5) metres, more or less, to a point being distant (128.280) metres, as measured on a bearing of south (56) degrees (26) minutes (57) seconds east from the previously described point.

THENCE, running through the portion of the aforesaid Right of Way of the former Canadian National Railway, (15.24) metres wide, (now Provincial Crown Land), and by land described in Parcel "B", surveyed for Geneva Norris, (February 3, 2009), south (41) degrees (06) minutes (26) seconds west, a distance of (27.000) metres;

THENCE, running by the aforesaid land described in Parcel "B", surveyed for Geneva Norris, (February 3, 2009), south (60) degrees (02) minutes (18) seconds west, a distance of (22.486) metres;

THENCE, south (30) degrees (38) minutes (12) seconds west, a distance of (22.442) metres, more or less, to the point of beginning and being more particularly shown and delineated on the attached plan;

RESERVING nevertheless, out of the above described piece or parcel of land, a Right of Way of the former Canadian National Railway, (15.24) metres wide, (now Provincial Crown Land) extending through the said land, as shown on the attached plan;

CONTAINING an area of (0.985) Hectares, more or less,

ALL BEARINGS being referred to the meridian of (53) degrees west longitude of the Three Degree Transverse Mercator Projection (NAD83)

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Barrow & Hodder Surveys Ltd.

PARCEL "B"  
GENEVA NORRIS  
GEORGES BROOK, NL  
JOB NO 09-007-B

All that piece or parcel of land situate at Georges Brook, in the Electoral District of Trinity North, in the Province of Newfoundland and Labrador, abutted and bounded as follows, that is to say:

Beginning at a point the said point having Grid Coordinates North 5 343 476.961, East 233 267. 792 as referenced to the meridian of (53) degrees west longitude of the Three Degree Transverse Mercator Projection (NAD83-1998 adjustment);

THENCE running by land described in Parcel "A", surveyed for Geneva Norris, (February 3, 2009), north (30) degrees (38) minutes (12) seconds east, a distance of (22.442) metres;

THENCE north (60) degrees (02) minutes (18) seconds east, a distance of (22.486) metres;

THENCE running by the aforesaid land surveyed for Geneva Norris, and through a portion of the Right of Way of the former Canadian National Railway, (15.24) metres wide, (now Provincial Crown Land), north (41) degrees (06) minutes (26) seconds east, a distance of (27.00) metres;

THENCE running in a generally southeasterly direction along the limit of a Reservation, (10.0) metres wide, extending along the shore of Smith Sound, for a distance of (24.6.2) metres, more or less, to a point being distant (242.142) metres, as measured on a bearing of south (68) degrees (00) minutes (28) seconds east from the previously described point;

THENCE running by land surveyed for Joan Andrews, (July 16, 2008), and through the Right of Way of the former Canadian National Railway, (15.24) metres wide, (now Provincial Crown Land), and by the aforesaid land surveyed for Joan Andrews, south (45) degrees (44) minutes (26) seconds west, a distance of (154.947) metres;

THENCE running along the northeasterly limit of Route 230-A, (20.0) metres wide following a curve with a radius of (350.000) metres, for an arc distance of (65.845) metres to a point being distant (65.748) metres, as measured on a bearing of north (46) degrees (47) minutes (42 seconds) west from the previously described point;

THENCE following a curve with a radius of (600.00) metres, for an arc distance of (85.125) metres to a point being distant (85.053) metres, as measured on a bearing of north (48) degrees (07) minutes ((12) seconds west from the previously described point;

THENCE following a curve with a radius of (520.000) metres, for an arc distance of (68.803) metres to the point of beginning being distant (68.753) metres, as measured on a bearing of north (47) degrees (50) minutes (46) seconds west from the previously described and being more particularly shown and delineated on the attached plan;

RESERVING nevertheless, out of the above described piece or parcel of land, a Right of Way of the former Canadian National Railway, (15.24) metres wide, (now Provincial Crown Land) extending through the said land, as shown on the attached plan;

CONTAINING an area of (2.130) Hectares, more or less,

ALL BEARINGS being referred to the meridian of (53) degrees west longitude of the Three Degree Transverse Mercator Projection (NAD83)

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Barrow & Hodder Surveys Ltd.

PARCEL "C"  
GENEVA NORRIS  
GEORGES BROOK. NL  
JOB NO 09-007-C

All that piece or parcel of land situate at Georges Brook, in the Electoral District of Trinity North, in the Province of Newfoundland and Labrador, abutted and bounded as follows, that is to say:

Beginning at a point the said point having Grid Coordinates North 5 343 292.588, East 232 902.842 as referenced to the meridian of (53) degrees west longitude of the Three Degree Transverse Mercator Projection (NAD83-1998 adjustment);

THENCE running by Crown Land, and by land of Frederick Blundon, as registered in Volume 159, Folio 409-411 in the Registry of Deeds, north (44) degrees (54) minutes (58) seconds east, a distance of (353.407) metres;

THENCE running along the southwesterly limit of Route 230-A, (20.0) metres wide, south (42) degrees (06) minutes (52) seconds east, a distance of (6.104) metres;

THENCE running by land of Boyd Jones, as registered in Roll 486, Frame 819 in the Registry of Deeds, and by land surveyed for Boyd Jones, (November 17, 2008), south (44) degrees (54) minutes (58) seconds west, a distance of (204.223) metres;

THENCE running by the aforesaid land surveyed for Boyd Jones, (November 17, 2008), south (55) degrees (07) minutes (56) seconds east, a distance of (100.594) metres;

THENCE north (44) degrees (54) minutes (58) seconds east, a distance of (198.376) metres;

THENCE running along the southwesterly limit of Route 230-A, (20.0) metres wide, following a curve with a radius of (500.00) metres, for an arc distance of (93.119) metres to a point being distant (92.984) metres, as measured on a bearing of south (49) degrees (14) minutes (24) seconds east from the previously described point;

THENCE following a curve with a radius of (580.000) metres, for an arc distance of (85.625) metres to a point being distant (85.547) metres, as measured on a bearing of south (48) degrees (08) minutes (02) seconds east from the previously described point;

THENCE following a curve with a radius of (330.000) metres, for an arc distance of (61.335) metres to a point being distant (61.247) metres, as measured on a bearing of south (47) degrees (02) minutes (19) seconds east from the previously described point;

THENCE running by the Georges Brook-Milton Cemetery, south (65) degrees (26) minutes (15) seconds west, a distance of (98.688) metres;

THENCE running by land described in an INDENTURE, dated December 14, 1993, BETWEEN Howard Pelley and

Manuel Ellis, as registered in roll 1202, frame 1564 in the Registry of Deeds, and by land described in Parcel "D", surveyed for Geneva Norris, (February 3, 2009), north (87) degrees (45) minutes (34) seconds west, a distance of (421.555) metres, more or less, to the point of beginning and being more particularly shown and delineated on the attached plan;

CONTAINING an area of (5.127) Hectares, more or less,

ALL BEARINGS being referred to the meridian of (53) degrees west longitude of the Three Degree Transverse Mercator Projection (NAD83)

The above described piece or parcel of land being subject to a power line easement, (7.4) metres wide, extending through the said land, as shown on the attached plan

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Barrow & Hodder Surveys Ltd.

PARCEL "D"  
GENEVA NORRIS  
GEORGES BROOK. NL  
JOB NO 09-007-D

All that piece or parcel of land situate at Georges Brook, in the Electoral District of Trinity North, in the Province of Newfoundland and Labrador, abutted and bounded as follows, that is to say:

Beginning at a point the said point having Grid Coordinates North 5 343 292.588, East 232 902.842 as referenced to the meridian of (53) degrees west longitude of the Three Degree Transverse Mercator Projection (NAD83-1998 adjustment);

THENCE running by land described in Parcel "D", surveyed for Geneva Norris, (February 3, 2009), south (87) degrees (45) minutes (34) seconds east, a distance of (69.655) metres;

THENCE running by land described in an INDENTURE, dated December 14, 1993, BETWEEN Howard Pelley and Manuel Ellis, as registered in roll 1202, frame 1564 in the Registry of Deeds, south (07) degrees (14) minutes (44) seconds east, a distance of (124.996) metres,

THENCE running by Crown Land, south (71) degrees (54) minutes (34) seconds west, a distance of (290.470) metres;

THENCE north (41) degrees (19) minutes (36) seconds east, a distance of (288.854) metres, more or less, to the point of beginning and being more particularly shown and delineated on the attached plan.

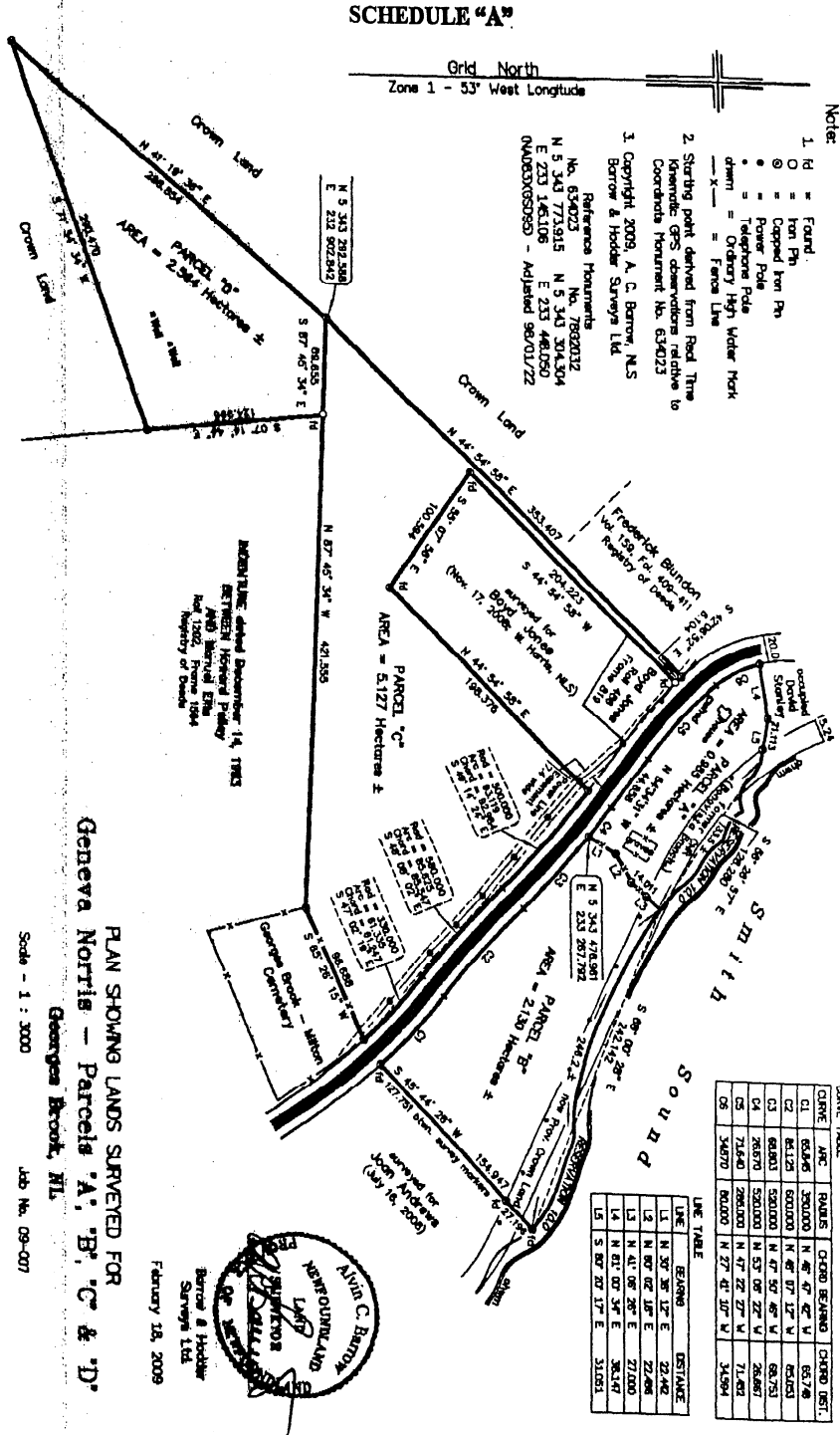
CONTAINING an area of (2.564) Hectares, more or less,

ALL BEARINGS being referred to the meridian of (53) degrees west longitude of the Three Degree Transverse Mercator Projection (NAD83)

Copyright "2009" A.C. Barrow, NLS

Barrow & Hodder Surveys Ltd.





**2009 04T No. 0226**  
**IN THE SUPREME COURT OF**  
**NEWFOUNDLAND AND LABRADOR**  
**TRIAL DIVISION**

IN THE MATTER OF that piece or parcel of land situate and being at 13 Lakeshore Drive, Pasadena, in the Province of Newfoundland and Labrador

AND

IN THE MATTER OF the application of JEAN VOLLICK for a Certificate of Title of said piece or parcel of land pursuant to the *Quieting of Titles Act*, RSNL 1990, cQ-3 as amended

**NOTICE**

Notice is hereby given to all parties that JEAN VOLLICK, as Applicant, has applied to the Supreme Court of Newfoundland and Labrador, Trial Division, at Corner Brook, to have investigated the title to ALL THAT piece or parcel of land situate and being at the Town of Pasadena, in the Province of Newfoundland and Labrador, and further bounded and described as set forth in Schedule A hereto; and for a Declaration that the said Applicant is the absolute owner thereof. The said Applicant has 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 Applicant shall file with the Registry of the Supreme Court of Newfoundland and Labrador, Trial Division, at Corner Brook, particulars of such adverse claim and serve same, together with an Affidavit verifying the same on the undersigned Solicitor for the Applicant on or before the 31<sup>st</sup> day of August, 2009, after which date no party having any claim shall be permitted to file 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 Deer Lake, in the Province of Newfoundland and Labrador this 29<sup>th</sup> day of June, 2009.

Solicitors for the Applicant  
PER: James Goudie.

ADDRESS FOR SERVICE  
1A High Street  
Deer Lake, NL  
A8A 1M6

**SCHEDULE "A"**

Description of Land for  
Jean Vollick  
13 Lakeshore Drive, Pasadena

All that piece or parcel of land lying northwest of Lakeshore Drive, in the Town of Pasadena, in the Province of Newfoundland and Labrador, being further bounded and described as follows:

Beginning at a point on the northwest limit of Lakeshore Drive, the said point being found by running from monument no. 87G2370, north sixty nine degrees forty four minutes eight seconds west (N 69° 44' 08" W), nine hundred forty three decimal two seven zero (943.270) metres;

RUNNING THENCE from the above described point of beginning by land of Alan and Maureen Bennett, north thirty three degrees forty seven minutes forty six seconds west (N 33° 47' 46" W) fifty two decimal zero eight nine (52.089) metres;

THENCE RUNNING by the southeast limit of the reserve ten metres wide along Deer Lake, north fifty one degrees forty nine minutes three seconds (N 51° 49' 03" W) fourteen decimal eight eight seven (14.887) metres;

THENCE RUNNING by land of Leonard Coates or Assigns, south thirty four degrees twenty three minutes twenty three seconds east (S 33° 23' 23" E) fifty three decimal one zero seven (53.107) metres;

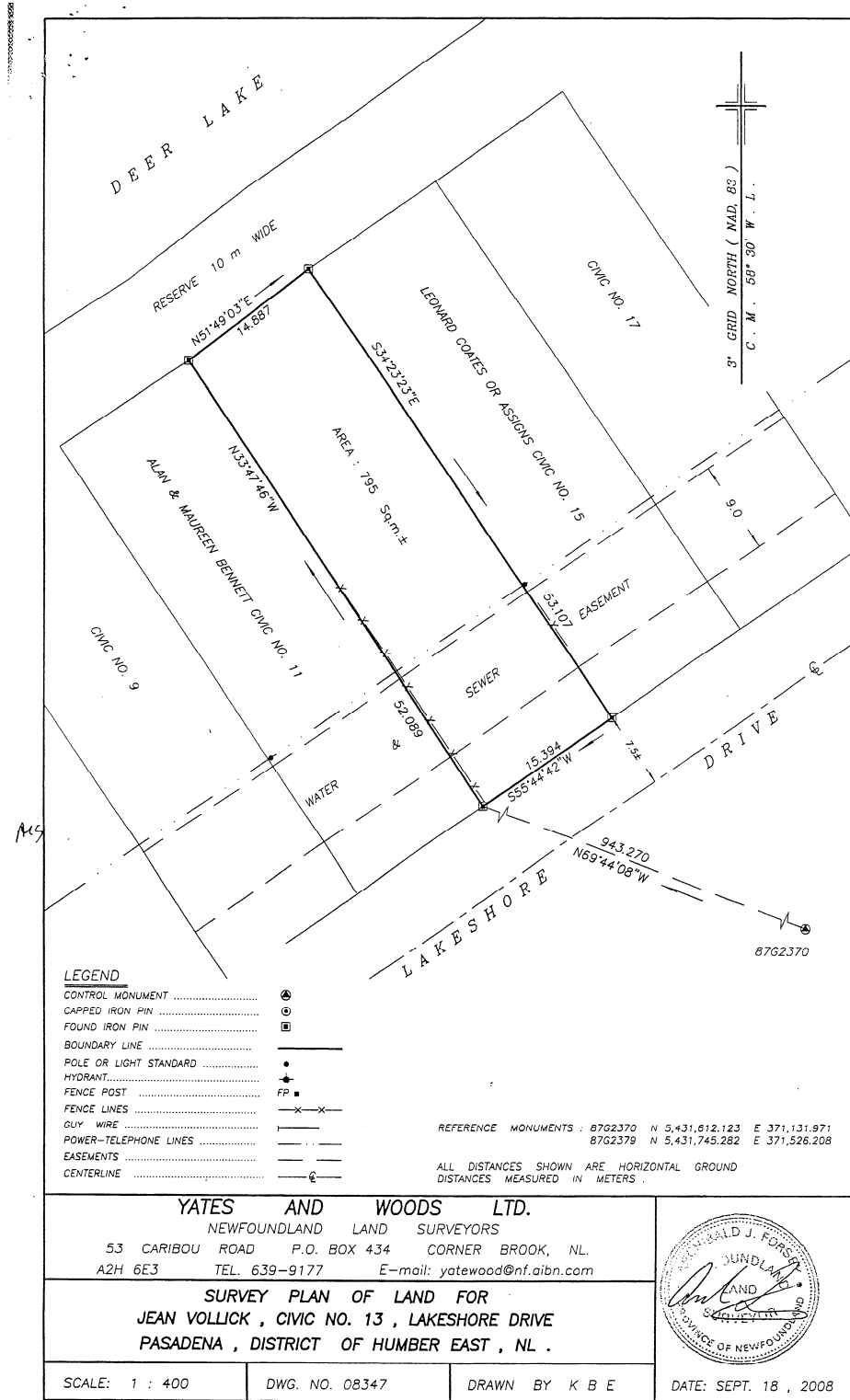
THENCE RUNNING by the northwest limit of Lakeshore Drive, south fifty five degrees forty four minutes forty two seconds west (S 55° 44' 42" W) fifteen decimal three nine four (15.394) metres, more or less, to the point of beginning;

Containing an area of seven hundred ninety five (795) square metres, more or less, and being more particularly shown on Yates and Woods Limited drawing no. 08347 dated September 18, 2008;

Subject to a water and sewer easement, nine metres wide, which crosses the lot as shown on the aforesaid drawing;

All bearing refer to 3° Grid North (NAD83) as referred to the Transverse Mercator Projection for Newfoundland with the Central Meridian at 58° 30' west longitude;

Yates and Woods Limited



**TRUSTEE ACT**

**ESTATE NOTICE**

IN THE ESTATE OF RITA MACDONALD, Homemaker, late of the Community of Great Codroy, District of St. George's and Stephenville East, Province of Newfoundland and Labrador, Canada, 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 RITA MACDONALD, Homemaker, deceased, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned solicitors for the Executrix of the Estate of the said deceased on or before the 21<sup>st</sup> day of August, 2009 after which date the said Executrix will proceed to distribute the said Estate having regard only to the claims to which she shall then have had notice.

DATED at the Town of Channel-Port aux Basques, Province of Newfoundland and Labrador, this 21<sup>st</sup> day of July, 2009.

MARKS & PARSONS  
Solicitors for the Executrix  
PER: M. Beverley L. Marks, Q.C.

ADDRESS FOR SERVICE  
P.O. Box 640  
3-9 Barhaven Drive  
Channel-Port aux Basques, NL  
A0M 1C0

Tel: (709) 695-7338/7341  
Fax: (709) 695-3944

July 31

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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. 84

ST. JOHN'S, FRIDAY, JULY 31, 2009

No. 31

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### NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 66/09

NLR 67/09



**NEWFOUNDLAND AND LABRADOR  
REGULATION 66/09**

*Student Financial Assistance Regulations  
(Amendment)  
under the  
Student Financial Assistance Act  
(O.C. 2009-230)*

*(Filed July 30, 2009)*

Under the authority of section 16 of the *Student Financial Assistance Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, July 30, 2009.

Gary Norris  
Clerk of the Executive Council

**REGULATIONS**

*Analysis*

- |                             |  |
|-----------------------------|--|
| 1. S.2 Amdt.<br>Definitions | 2. S.5.2 Amdt.<br>Interest free status |
|                             | 3. Commencement                        |

NLR 105/03  
as amended

**1. Paragraph 2(e) of the *Student Financial Assistance Regulations* is amended by adding immediately after the word "*Regulations*" the words "or who is granted interest free status under subsection 5.2(6), (7), (10) or (12) of these regulations".**

**2. Section 5.2 of the regulations is amended by adding immediately after subsection (5) the following:**

(6) Subject to subsection (11), when a student loan is issued to a borrower who is a member of the reserve force and who interrupts his or her program of studies to serve on a designated operation, that student loan has interest free status until the last day of the month in which his or her service on the designated operation ends.

(7) Notwithstanding subsection (6) if, as a result of the date on which his or her service on the designated operation ends, the borrower is unable to continue in a program of studies within 6 months after that date, the minister may, on application, allow up to a further 6 months of interest free status.

(8) A borrower referred to in subsection (6) must, no later than 30 days after receipt of his or her posting message provided by Canada's Department of National Defence, unless circumstances beyond the control of the borrower necessitate a longer period, notify the minister in the prescribed form that he or she will be serving on the designated operation and must provide the minister with a list of outstanding student loans not owned by the corporation and, where the minister requests, provide the minister with

- (a) his or her social insurance number;
- (b) a list of outstanding student loans;
- (c) a copy of the posting message; and
- (d) information that is necessary to assess whether the borrower meets the requirements of subsection (6), (7), (10) or (12).

(9) The minister may consider one or more of the requirements of subsection (8) of these regulations to be satisfied where a borrower has provided a notification and information to Canada's Minister of Human Resources and Skills Development in compliance with subsection 8(3) of the *Canada Student Financial Assistance Regulations*.

(10) If a borrower referred to in subsection (6) is unable to continue full-time in a program of studies as a result of an injury or disease that is attributable to or was incurred during the designated operation, or the aggravation of an injury or disease, if the aggravation was attrib-

utable to or was incurred during the designated operation, the borrower will be granted interest free status until the earlier of the day

- (a) on which it is determined by Canada's Minister of Human Resources and Skills Development under the *Canada Student Financial Assistance Regulations* that the injury or disease, or the aggravation of the injury or disease, no longer precludes the borrower from returning to a program of studies; and
- (b) that is 2 years after the day on which the borrower's service on the designated operation ended.

(11) If it is determined by Canada's Minister of Human Resources and Skills Development under subsection 8(2) or (4) of the *Canada Student Financial Assistance Regulations* that the date when the borrower ceases to be a full time student under those regulations will be delayed for the purpose of those regulations, then the borrower will be granted interest free status until that date for the purpose of subsections (7) and (10) of these regulations.

(12) Where a determination referred to in subsection (11) is not applicable, a determination by the minister of eligibility in subsections (7) and (10) shall be made on the same basis as if the determination was made under subsection 8(2) or (4) of the *Canada Student Financial Assistance Regulations*.

(13) For the purpose of subsections (6) to (12) "designated operation" means an operation that is designated under paragraph 247.5(1)(a) of the *Canada Labour Code*.

Commencement

**2. These regulations are considered to have come into force on June 13, 2008.**

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## NEWFOUNDLAND AND LABRADOR REGULATION 67/09

*Student Financial Assistance Regulations  
(Amendment)*  
under the  
*Student Financial Assistance Act*  
(O.C. 2009-229)

*(Filed July 31, 2009)*

Under the authority of section 16 of the *Student Financial Assistance Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, July 30, 2009.

Gary Norris  
Clerk of the Executive Council

### REGULATIONS

#### *Analysis*

- |   |   |
|---|---|
| 1. S.2 Amdt.<br>Definitions                             | 5. S.5.8 R&S<br>Consolidation and repayment                     |
| 2. S.4 Amdt.<br>Amount of Assistance                    | 6. S.5.9 Amdt.<br>Obligation to pay interest                    |
| 3. S.5.2 R&S<br>Payment free status                     | 7. S.10 R&S<br>Payment deferral                                 |
| 4. S.5.3 R&S<br>Rules respecting payment<br>free status | 8. S.12.1 R&S<br>Debts collected by subrogation<br>or under Act |

NLR 105/03  
as amended

9. Commencement

**1. Section 2 of the *Student Financial Assistance Regulations* is amended by adding immediately after paragraph (a.1) the following:**

(a.2) "designated operation" means an operation that is designated under paragraph 247.5(1)(a) of the *Canada Labour Code*;

**(2) Paragraph 2(e) of the regulations is repealed and the following substituted:**

(e) "full time student" means a qualifying student who is enrolled in 80% of a full course load or who qualifies to receive financial assistance under subsection 3(3) or (4) of the *Student Financial Assistance Administration Regulations* or who is a member of the reserve force who interrupts his or her program of studies to serve on a designated operation until

(i) the last day of the month in which his or her service on the designated operation ends, or is considered to have ended under subsection 5.2(7), or

(ii) the date determined under subsection 5.2(10) that is the earlier of the day

(A) on which it is determined by Canada's Minister of Human Resources and Skills Development under the *Canada Student Financial Assistance Regulations* that the injury or disease, or the aggravation of the injury or disease, no longer precludes the borrower from returning to a program of studies, and

(B) that is 2 years after the day on which the borrower's service on the designated operation ended;

**2. Subsection 4(2) of the regulations is repealed and the following substituted:**

(2) Financial assistance issued to a qualifying student shall be issued in the manner and amounts as follows:

- (a) first, an amount of not more than \$60 per week of a period of study in student loan; and
- (b) second,
  - (i) an amount of not more than \$80 per week of a period of study in a non repayable grant, or
  - (ii) where the qualifying student is enrolled in medical school at Memorial University of Newfoundland, an amount of not more than \$90 per week of a period of study in a non repayable grant; and
- (c) third, where the qualifying student is enrolled in medical school at Memorial University of Newfoundland, a further amount of not more than \$50 per week of a period of study in student loan.

**3. Subsection 5.2 of the regulations is repealed and the following substituted:**

Payment free status

**5.2** (1) Where a student loan is issued to a borrower, that student loan has payment free status during the period

- (a) commencing on the period of study start date indicated on the borrower's certificate of eligibility; and
- (b) ending 6 months after the last day of the month of the borrower's period of study end date as indicated on his or her certificate of eligibility.

(2) Payments are not required on a student loan during the period that the student loan has payment free status.

(3) A borrower who is not issued a student loan for a current period of study and

- (a) who is enrolled in at least 60% of a full course load; or
- (b) meets the requirements of subsection 3(4) of the *Student Financial Assistance Administration Regulations*,

may apply to the minister for payment free status on his or her student loan.

(4) An application under subsection (3) must include or be accompanied by the information that the minister may require.

(5) Where the minister receives an application under subsection (3), and is satisfied that the borrower has complied with these regulations, the minister may grant payment free status to the borrower's student loan.

(6) Subject to subsections (7) and (11), when a student loan is issued to a borrower who is a member of the reserve force and who interrupts his or her program of studies to serve on a designated operation, that student loan has payment free status until 6 months after the last day of the month in which his or her service on the designated operation ends.

(7) Where, as a result of the date on which his or her service on the designated operation ends, the borrower is unable to continue in a program of studies within 6 months after that date, the minister may, on application, defer by up to 6 months the date on which the service on the designated operation is considered to have ended.

(8) A borrower referred to in subsection (6) must, no later than 30 days after receipt of his or her posting message provided by Canada's Department of National Defence, unless circumstances beyond the control of the borrower necessitate a longer period, notify the minister in the prescribed form that he or she will be serving on the designated operation and must provide the minister with a list of outstanding student loans not owned by the corporation and, where the minister requests, provide the minister with

- (a) his or her social insurance number;
- (b) a list of outstanding student loans;
- (c) a copy of the posting message; and
- (d) information that is necessary to assess whether the borrower meets the requirements of subsection (6), (7), (10) or (12).

(9) The minister may consider one or more of the requirements of subsection (8) of these regulations to be satisfied where a borrower has provided a notification and information to Canada's Minister of Human Resources and Skills Development in compliance with subsection 8(3) of the *Canada Student Financial Assistance Regulations*.

(10) Where a borrower referred to in subsection (6) is unable to continue full-time in a program of studies as a result of an injury or disease that is attributable to or was incurred during the designated operation, or the aggravation of an injury or disease, if the aggravation was attributable to or was incurred during the designated operation, the borrower will be granted payment free status until 6 months after the earlier of the day

(a) on which it is determined by Canada's Minister of Human Resources and Skills Development under the *Canada Student Financial Assistance Regulations* that the injury or disease, or the aggravation of the injury or disease, no longer precludes the borrower from returning to a program of studies; and

(b) that is 2 years after the day on which the borrower's service on the designated operation ended.

(11) Where it is determined by Canada's Minister of Human Resources and Skills Development under subsection 8(2) or (4) of the *Canada Student Financial Assistance Regulations* that the date when the borrower ceases to be a full time student under those regulations will be delayed for the purpose of those regulations, then the borrower will be granted payment free status until 6 months after that date for the purpose of subsections (7) and (10) of these regulations.

(12) Where a determination referred to in subsection (11) is not applicable, a determination by the minister of eligibility in subsections (7) and (10) shall be made on the same basis as if the determination was made under subsection 8(2) or (4) of the *Canada Student Financial Assistance Regulations*.

**4. Subsection 5.3 of the regulations is repealed and the following substituted:**

Rules respecting  
payment free status

**5.3** (1) Where the period of study end date shown on a borrower's application under subsection 5.2(3) changes to another date, his or her

student loan payment free status ends 6 months after the last day of the month of the new period of study end date.

(2) Notwithstanding subsections 5.2(2) and (3) a borrower is not entitled to payment free status on his or her student loan where that borrower is in arrears on interest payments on his or her student loan.

(3) The minister may terminate a payment free status where

(a) the borrower to whom that status applies or his or her spouse, parent or sponsor has provided false or misleading information to the minister; or

(b) the borrower fails to comply with a provision of the Act or regulations made under the Act.

(4) Notwithstanding that the last day of the month of the period of study end date as stated on a certificate of eligibility or application made under subsection 5.2(3) has been reached, the student loan to which it applies retains its payment free status during the period between the previous period of study end date and the last day of the month of the next period of study end date as shown on the borrower's current certificate of eligibility or application where

(a) the period between the last day of the month of the previous period of study end date and next period of study start date as shown on that borrower's current certificate of eligibility or application is less than 6 months; and

(b) that borrower delivers the current certificate of eligibility or application made under subsection 5.2(3) to the minister within the 6 month period referred to in paragraph (a).

**5. Subsection 5.8 of the regulations is repealed and the following substituted:**

Consolidation and  
repayment

**5.8** (1) A borrower who enters into one or more student loan agreements shall enter into a consolidated loan agreement with the lender after the borrower ceases to be a full time student.

(2) A consolidated loan agreement shall include the amount and duration of the payments to be made to discharge all outstanding student loans.

(3) If a borrower does not enter into a consolidated loan agreement within 6 months after ceasing to be a full time student, he or she shall be considered to have entered into a consolidated loan agreement and the lender shall establish the amount and duration of the payments to be made to discharge all outstanding student loans of that borrower unless the borrower subsequently enters into a consolidated loan agreement.

**6. (1) Subsection 5.9(2) of the regulations is repealed and the following substituted:**

(2) From August 1, 2007 to July 31, 2009, the interest rate in effect on any day on a student loan owned by the corporation shall be

- (a) the prime rate on that day yearly; or
- (b) after consolidation of a student loan under section 5.8 and where requested by the borrower, the prime rate upon the date that the borrower made the request, plus 2.5% yearly.

**(2) Section 5.9 of the regulations is amended by adding immediately after subsection (2) the following:**

(2.1) After July 31, 2009, the interest rate in effect on any day on a student loan owned by the corporation is 0%.

**(3) Subsection 5.9(4) of the regulations is repealed and the following substituted:**

(4) From August 1, 2007 to July 31, 2009, the interest rate in effect on any day on a student loan not owned by the corporation shall be

- (a) the prime rate on that day yearly; or
- (b) after consolidation of a student loan under section 5.8 and where requested by the borrower, the prime rate upon the date that the borrower made the request, plus 2.5% yearly.

**(4) Section 5.9 of the regulations is amended by adding immediately after subsection (4) the following:**

(4.1) After July 31, 2009, the interest rate in effect on any day on a student loan not owned by the corporation is 0%.

**(5) Subsection 5.9(6) of the regulations is repealed.**

**7. Section 10 of the regulations is repealed and the following substituted:**

Payment deferral

**10.** (1) Where a borrower is required, on a monthly basis, to repay his or her student loan received as financial assistance and he or she has difficulty making those payments, that borrower may apply for payment deferral to the minister, in the form that the minister may require.

(2) The minister shall include a consideration of gross family income, financial assets and monthly student loan payments of a borrower under the Act and the federal Act where he or she is determining eligibility for payment deferral and payment deferral shall be in accordance with the Schedule attached to these regulations.

(3) Payment deferral under this section shall be available to the borrower for not more than 30 months over the duration of the repayment schedule of his or her student loan.

(4) Notwithstanding subsection (3), the minister may allow an additional 24 months of payment deferral within the first 5 years of repayment of the borrower's student loan.

(5) Where a borrower fails to pay interest on a student loan, the minister may, as a condition of providing payment deferral or other financial assistance, require the borrower to

- (a) pay all or a part of the accrued interest owing on that student loan; or
- (b) capitalize all or a part of the accrued interest owing on that student loan and that capitalized accrued interest shall form a part of the principal owed on that student loan.

(6) Where the minister grants payment deferral under this section, the first payment on principal and interest owed on a student loan that the borrower must make is due within one month after the end of the payment deferral period.



(7) The minister may terminate payment deferral that he or she has granted where

- (a) the borrower has provided false or misleading information to the minister; or
- (b) the borrower fails to comply with a provision of the Act, regulations made under the Act or the borrower's student loan agreement.

(8) Where, on April 1, 2004, a borrower's loan under the federal Act is in interest relief status under that Act, an application shall be considered to have been made under subsection (1) with respect to that borrower's student loan.

**8. Section 12.1 of the regulations is repealed and the following substituted:**

Debts collected by  
subrogation or  
under Act

**12.1** (1) Notwithstanding the interest rate applicable to a student loan under the terms of the student loan agreement, from August 1, 2007 to July 31, 2009 the interest rate in effect on any day for a debt owed to the Crown or the corporation as a result of the Crown or the corporation fulfilling the obligations of a borrower under that student loan agreement, shall be

- (a) the prime rate on that day yearly; or
- (b) after consolidation of a student loan under section 5.8 and where requested by the borrower, the prime rate upon the date that the borrower made the request, plus 2.5% yearly.

(2) Notwithstanding the interest rate applicable to a student loan under the terms of the student loan agreement, after July 31, 2009 the interest rate in effect on any day for a debt owed to the Crown or the corporation as a result of the Crown or the corporation fulfilling the obligations of a borrower under that student loan agreement, shall be 0%.

(3) Notwithstanding paragraph 2(g.1), in subsection (1), "prime rate" shall be the prime rate established under the student loan agreement relating to the student loan.

(4) Subsections (1) and (2) shall not apply to debts owed to the Crown or the corporation as a result of a judgment of the court.

Commencement

**9. These regulations come into force on August 1, 2009.**

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### PART II

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Student Financial Assistance Regulations (Amdt) (In force August 1, 2009)	NLR 67/09	Amends NLR 105/03, Ss.2 & 4 Amdt. Ss. 5.2, 5.3 & 5.8 R&S Ss. 5.9 Amdt. Ss. 10 & 12.1 R&S	July 31/09, p. 359

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