



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 84

ST. JOHN'S, FRIDAY, OCTOBER 2, 2009

No. 40

MINERAL ACT

CANCELLATION NOTICE

Due to issues with the Online staking system, the Mineral Notice published in *The Newfoundland and Labrador Gazette* on August 28, 2009 issue, Volume 84, Number 35 on pages 346-348 has been cancelled and will be published at a later date. The lands will come open for staking after republication.”

JIM HINCHEY, P. Geo,
Mineral Claims Recorder

Oct 2”

URBAN AND RURAL PLANNING ACT

NOTICE OF REGISTRATION TOWN OF KIPPENS MUNICIPAL PLAN AMENDMENT NO. 5, 2009 AND DEVELOPMENT REGULATIONS AMENDMENT NO. 6, 2009

Take notice that the Town of Kippens Municipal Plan Amendment No. 5, 2009 and Development Regulations

Amendment No. 6, 2009 as adopted on the 23rd day of March, 2009 and approved on the 14th day of May, 2009, have been registered by the Minister of Municipal Affairs.

In general terms the purpose of the Municipal Plan amendment and the Development Regulations amendment is to allow for the development of a residential subdivision off 12-60 Old Orchard Lane by redesignating and rezoning the area from Comprehensive Development Area to Residential.

The Municipal Plan Amendment No. 5, 2009 and Development Regulations Amendment No. 6, 2009 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 Kippens Municipal Plan Amendment No. 5, 2009 and Development Regulations Amendment No. 6, 2009 may do so at the Kippens Town Office during normal working hours.

TOWN OF KIPPENS
Debbie Pruner, Town Clerk

Oct 2

**NOTICE OF REGISTRATION
TOWN OF BISHOP'S FALLS
MUNICIPAL PLAN AMENDMENT NO. 15, 2009
AND
DEVELOPMENT REGULATIONS
AMENDMENT NO. 17, 2009**

Take notice that the Town of Bishop's Falls Municipal Plan Amendment No. 15, 2009 and Development Regulations Amendment No. 17, 2009 as adopted on the 16th day of June, 2009 and approved on the 25th day of August, 2009, have been registered by the Minister of Municipal Affairs.

In general terms the purpose of the Municipal Plan amendment and Development Regulations amendment is to allow certain residents along Kinsmen's Drive backing on to the Stadium to incorporate land no longer required by the Town into their properties.

In order to accommodate this it will be necessary to change the Municipal Plan Designation on Map 3.1 from Recreation Open Space to Residential Short Term, and to amend the Development Regulations Zone on Map 5.1 from Recreational Open Space to Residential Medium Density for this area lying between the properties and the Stadium.

The Municipal Plan Amendment No. 15, 2009 and Development Regulations Amendment No. 17, 2009 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 Bishop's Falls Municipal Plan Amendment No. 15, 2009 and Development Regulations Amendment No. 17, 2009 may do so at the Bishop's Falls Town Office during normal working hours.

TOWN OF BISHOP'S FALLS
Randy Drover, Town Clerk

Oct 2

**NOTICE OF REGISTRATION
TOWN OF SPANIARD'S BAY
MUNICIPAL PLAN AND DEVELOPMENT
REGULATIONS 2009-2019**

Take notice that the Town of Spaniard's Bay Municipal Plan and Development Regulations 2009-2019 approved on the 24th day of August, 2009, has been registered by the Minister Municipal Affairs.

The Town of Spaniard's Bay Municipal Plan and Development Regulations 2009-2019, 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 Town of Spaniard's Bay Municipal Plan and Development Regulations 2009-2019, may do so at the Town Office, Spaniard's Bay, during normal working hours.

TOWN OF SPANIARD'S BAY
Tony Ryan, Town Clerk

Oct 2

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:-

TABATHA TAMMY PINARD

of P.O. Box 148C, RR#2, Piccadilly, A0N 1T0, in the Province of Newfoundland and Labrador, as follows:

To change my name from

TABATHA TAMMY PINARD

to

TABATHA TAMMY MARIE BENOIT

DATED this 18th day of September, 2009.

TABATHA TAMMY PINARD
(Signature of Applicant)

Oct 2

**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:-

RYAN ADAM DOUCETTE

of 21 Flamingo Drive, Paradise in the Province of Newfoundland and Labrador, as follows:

To change my name from

RYAN ADAM DOUCETTE

to

RYAN ADAM BROGAN

DATED this 23rd day of September, 2009.

RYAN ADAM DOUCETTE
(Signature of Applicant)

Oct 2

**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:-

ABDU MANYO REBO

of 3 Buckmasters Circle, St. John's, A1C 4V7, in the Province of Newfoundland and Labrador, as follows:

To change my name from

ABDU MANYO REBO
to
TITUS WAADE DING

To change my minor unmarried children's name from

DOTA MANYO ABDU
to
DOTA ITUS DING

WAADE MANYO ABDU
to
WAADE TITUS DING

PAUL MANYO ABDU
to
PAUL TITUS DING

JOHN MANYO ABDU
to
JOHN TITUS DING

DATED this 17th day of August, 2009.

ABDU MANYO REBO
(Signature of Applicant)

Oct 2

**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:-

ASHRAF A.A. ABUJARBOUA

of 311-177 Forest Road, St. John's A1A 1E7 in the Province of Newfoundland and Labrador, as follows:

To change my name from

ASHRAF A.A. ABUJARBOUA
to
ASHRAF JARBO

DATED this 23rd day of September, 2009.

ASHRAF A.A. ABUJARBOUA
(Signature of Applicant)

Oct 2

**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:-

MELANIE ELIZABETH NICOLE BRAYE

of 21 Sutherland Drive, Grand Falls-Windsor A2A 2E9 in the Province of Newfoundland and Labrador, as follows:

To change my name from

MELANIE ELIZABETH NICOLE BRAYE
to
MELANIE ELIZABETH NICOLE SMITH

DATED this 17th day of September, 2009.

MELANIE ELIZABETH NICOLE BRAYE
(Signature of Applicant)

Oct 2

**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 MARGARET ANN MAYNARD

of 60A Main Street, Trout River A0K 5P0 in the Province of Newfoundland and Labrador, as follows:

To change my name from

ASHLEY MARGARET ANN MAYNARD
to
ASHLEY MARGARET ANNE BARNES

DATED this 18th day of September, 2009.

ASHLEY MARGARET ANN MAYNARD
(Signature of Applicant)

Oct 2

**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:-

CHAD ERIC BECHLER

of, 114A Milton Road, Paradise, A1L 2K5 in the Province of Newfoundland and Labrador, as follows:

To change my name from

CHAD ERIC BECHLER
to
CHAD ERIC WARREN

DATED this 22nd day of September, 2009.

CHAD ERIC BECHLER
(Signature of Applicant)

Oct 2

**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:-

CARSON SOLOMON MILENDY

of P.O. Box 91, Lumsden, A0G 3E0 in the Province of Newfoundland and Labrador, as follows:

To change my name from

CARSON SOLOMON MILENDY
to
CARSON SOLOMON MELINDY

DATED this 16th day of September, 2009.

CARSON SOLOMON MILENDY
(Signature of Applicant)

Oct 2

**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:-

LOIS MARGARET DALLEY

of 1-A Greenridge Road, Bishop's Falls, A0H 1C0 in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

DAWN VALERIE ANN HIGDON
to
DAWN VALERIE ANN DALLEY

DATED this 3rd day of September, 2009.

LOIS MARGARET DALLEY
(Signature of Applicant)

Oct 2

**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:-

MARY CATHERINE THOMPSON

of P.O. Box 196, Bishop's Falls, in the Province of Newfoundland and Labrador, as follows:

To change my unmarried child's name from

MADISON ELIZABETH BLAIS
to
MADISON ELIZABETH THOMPSON

DATED this 18th day of September, 2009.

MARY CATHERINE THOMPSON
(Signature of Applicant)

Oct 2

**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 VICTORIA OAKE

of 1 Pine Avenue, Grand Fall-Windsor Falls, in the Province of Newfoundland and Labrador, as follows:

To change my unmarried child's name from

JOSHUA ERIC NEIL TRASK
to
JOSHUA ERIC NEIL OAKE

DATED this 17th day of September, 2009.

MELISSA VICTORIA OAKE
(Signature of Applicant)

Oct 2

**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:-

BRITTANY BIANCA CONNOLLY

of Apt # 210, 60 Gillams Road, Corner Brook in the Province of Newfoundland and Labrador, as follows:

To change my unmarried child's name from

SARAH ANN-MARIE GALE
to
SARAH ANN-MARIE CONNOLLY

DATED this 15th day of September, 2009.

BRITTANY BIANCA CONNOLLY
(Signature of Applicant)

Oct 2

TRUSTEE ACT

ESTATE NOTICE

IN THE MATTER of the Estate of ELIZABETH POWER, late of St. John's, 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 ELIZABETH POWER, Gentlewoman, who died at St. John's, NL on or about September 29, 2003, are hereby requested to send particulars thereof in writing, duly attested, to the Registrar Supreme Court, 136 Crosbie Road, Suite 401, St. John's, NL, A1B 3K3, Administrator of the Estate of ELIZABETH POWER on or before November 2, 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 23rd day of September 2009

REGISTRAR OF THE SUPREME COURT
Administrator of the Estate of
ELIZABETH POWER.

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

Oct. 2

ESTATE NOTICE

IN THE MATTER of the Estate of JERRY ROLAND MAUGER, late of Channel-Port Aux Basques, 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 JERRY ROLAND MAUGER, Gentleman, who died at Corner Brook, NL on or about February 3, 2008, are hereby requested to send particulars thereof in writing, duly attested, to the Registrar Supreme Court, 136 Crosbie Road, Suite 401, St. John's, NL, A1B 3K3, Administrator of the Estate of Jerry Roland Mauger on or before November 2, 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 24th day of September 2009

REGISTRAR OF THE SUPREME COURT
Administrator of the Estate of
JERRY ROLAND MAUGER

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

Oct. 2



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

Vol. 84

ST. JOHN'S, FRIDAY, OCTOBER 2, 2009

No. 40

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 85/09
NLR 86/09
NLR 87/09
NLR 88/09
NLR 89/09



**NEWFOUNDLAND AND LABRADOR
REGULATION 85/09**

Chartered Accountants Regulations
under the
Chartered Accountants Act, 2008

(Filed September 29, 2009)

Under the authority of section 46 of the *Chartered Accountants Act, 2008*, the board of the Institute of Chartered Accountants of Newfoundland and Labrador makes, with the approval of the Minister of Government Services, the following regulations.

Dated at St. John's, September 23, 2009.

Jason Silver, CA
Chairperson
Institute of Chartered Accountants
of Newfoundland and Labrador

Kevin O'Brien
Minister of Government Services

REGULATIONS*Analysis*

- | | |
|--|---|
| 1. Short title | 12. Limited liability partnerships |
| 2. Definitions | 13. ASCA accredited as approved school |
| 3. Admission to membership | 14. Filing of an allegation |
| 4. Designated accounting bodies | 15. Appointment of an adjudication tribunal |
| 5. Application for membership | 16. Adjudication tribunal hearing date |
| 6. Readmission to membership | 17. Decision of the adjudication tribunal |
| 7. Fellows | 18. Service to the public |
| 8. Honourary membership | |
| 9. Membership certificate | |
| 10. Use of designation | |
| 11. Firm and professional corporation names and registration | |

Short title

1. These regulations may be cited as the *Chartered Accountants Regulations*.

Definitions

2. In these regulations

- (a) "Act" means the *Chartered Accountants Act, 2008*;
- (b) "applicant" means a person applying to the institute for membership;
- (c) "ASCA" means the Atlantic School of Chartered Accountancy;
- (d) "by-laws" means the by-laws of the institute;
- (e) "firm" means a sole proprietorship or partnership;
- (f) "membership committee" means the membership committee appointed under by-law 241(4);
- (g) "partnership" includes a limited liability partnership;
- (h) "profession" means the profession of chartered accountants in Newfoundland and Labrador and "professional" refers to a member of that profession;

- (i) "provincial institute" means an institute or order of chartered accountants incorporated in a province or territory of Canada, or in Bermuda, but does not include the Institute of Chartered Accountants of Newfoundland and Labrador;
- (j) "rules of professional conduct" means the rules of professional conduct of the institute; and
- (k) "student" means a student registered under the provisions of the by-laws, and includes a person registered as a student on a conditional basis under the by-laws, and for the purpose of paragraph 3(2)(a) includes a student of a provincial institute.

Admission to membership

3. (1) The membership of the institute consists of those persons who are members or fellows of the institute in good standing at the date of the first enactment of these regulations and those other persons who are afterward admitted, and who continue in good standing.

(2) The membership committee may by resolution admit to membership of the institute an applicant who has completed a declaration in the form the board may require and for whom it has received satisfactory evidence of good moral character, where the applicant is

- (a) a student who has registered with the institute and who has fulfilled the educational, practical experience and examination requirements prescribed by the board;
- (b) a member in good standing of a provincial institute and whose professional qualifications and experience are satisfactory to the board;
- (c) a certified public accountant from the United States of America who is a certificate holder in good standing with a state board of accountancy or equivalent body which recognises membership in the institute as a basis for obtaining the certificate granted by that board without requiring the member to write and pass the uniform certified public accountant examination administered by the American Institute of Certified Public Accountants, if he or she has fulfilled all of the educational, practical experience and examination requirements prescribed by the board for applicants under this paragraph; or

- (d) a member or former member of an accounting body outside Canada and the United States which recognizes membership in the institute as a basis for obtaining membership in that body without requiring that its normal final examinations be written and passed, if the other accounting body
 - (i) is designated by the board under subsection 4(1), in the case of a current member in good standing of the accounting body,
 - (ii) was designated by the board under subsection 4(1), or a predecessor provision when the former member ceased to be a member in good standing of that accounting body, in the case of a former member, or
 - (iii) was a body designated by the board under subsection 4(1), or a predecessor provision, on the date the person applying to the institute was admitted to membership in that body, if the body is not designated under subsection 4(1) on the date of making application to the institute,

and if the applicant has fulfilled all of the educational, practical experience, and examination requirements as prescribed by the board for an applicant under this paragraph.

Designated accounting bodies

4. (1) The board may designate particular accounting bodies outside Canada which have educational, practical experience and examination requirements for qualification for membership which are acceptable to the institute, and professional standards and requirements for admission to and continuance of membership which are acceptable to the institute.

(2) The board may remove the designation of a particular accounting body made under subsection (1).

(3) The board may prescribe the educational, practical experience, and examination requirements for persons who apply for membership.

Application for membership

5. (1) An applicant for membership in the institute shall make application to the registrar in writing and the application shall be accompanied by a declaration signed by the applicant that the contents of the application are true and correct.

- (2) An applicant shall inform the board if he or she
 - (a) has been convicted of a criminal or similar offence;
 - (b) has pleaded guilty or been found guilty of a violation of the rules of professional conduct;
 - (c) is the subject of an investigation by the complaints authorization committee or a body having similar powers with another provincial institute;
 - (d) is the subject of a charge laid by the disciplinary body of another provincial institute; and
 - (e) has pleaded guilty or been found guilty of violating the provisions of the *Securities Act* or regulations or an equivalent Act or regulations in another jurisdiction.

Readmission to
membership

6. (1) The membership committee may by resolution re-admit to membership of the institute an applicant who has completed the requirements as prescribed by the board.

(2) The membership committee shall give prompt written notice to the applicant of its decision reached under subsection (1).

(3) An applicant who is not satisfied with the decision of the membership committee may apply to have the matter reviewed by the board.

(4) A member of the membership committee shall not take part in the consideration of, or participate in a decision regarding, an application under subsection (3) if the member participated in a previous consideration or decision of the membership committee in respect of the matter that is the subject of an appeal under subsection (3).

Fellows

7. (1) A member of the institute, in good standing, who has given conspicuous service to the profession, the institute and the community may, by obtaining an affirmative vote of at least 2/3 of all members of the board whether or not attending the meeting at which the matter is dealt with, be admitted as a fellow of the institute.

(2) A member of the board is not eligible for nomination or election for fellowship.

(3) A member who is admitted as a fellow shall be entitled to take and use the designation "Fellow of Chartered Accountants" or the initials F.C.A. and shall be granted a certificate accordingly.

(4) The use of the designation F.C.A. shall be subject to the by-laws of the institute.

(5) The board shall, upon application, admit as fellows those members who have been elected fellows by another provincial institute for as long as

(a) the provincial institute grants a similar right to its members; and

(b) the member retains membership in the provincial institute.

(6) A fellow may not continue to hold the title fellow if he or she is no longer on the roll of the institute or the roll of another provincial institute.

(7) The board shall decide on the appropriateness of re-awarding the title to a member who has been re-entered on the roll of the institute.

(8) A reinstated member may recover the title of fellow by obtaining an affirmative vote of at least 2/3 of all members of the board whether or not attending the meeting at which the matter is dealt with.

Honourary membership

8. (1) A person, who has given conspicuous service to the institute, either in the advancement of its educational objects or general welfare, or by material contribution to the library or other funds of the institute, may by unanimous vote of the board be elected to honorary membership in the institute.

(2) An honorary membership does not confer upon a person the right to use the designation "chartered accountant" or be elected to the board.

Membership certificate

9. (1) A member shall be entitled to receive a certificate of membership which shall be in the form that the board may determine and to hold the certificate as long as he or she remains a member.

(2) A membership certificate remains the property of the institute and in the event of termination or suspension of membership for a reason other than death shall, at the request of the board, be returned to the institute.

(3) All members' certificates shall be under the seal of the institute attested by the chairperson or vice-chairperson and by the secretary-treasurer.

Use of designation

10. A member, practising in partnership with a person who is not a member, shall not permit the partnership to take or use the designation "Chartered Accountants" or "Fellow of Chartered Accountants", or permit the partnership to take the initials "C.A." or "F.C.A.".

Firm and professional corporation names and registration

11. (1) A member, firm, or professional corporation shall register with the institute, in the manner prescribed by the board, the name or names under which the member or firm carries on a public accounting practice or a related function business or practice.

(2) The board may authorize a firm to practice under a name which is consistent with the rules of professional conduct.

(3) Upon registration with the institute, a firm or professional corporation shall designate a member of the institute to be the designated representative of the firm or professional corporation.

(4) A member shall notify the institute in writing not later than 30 days following

(a) a merger of the member's practice with another member's practice or a firm or practice;

(b) the acquisition by the member of another member's practice or a firm or practice; and

(c) the closure or termination of the member's practice.

(5) The designated representative of a firm shall notify the institute in writing not later than 30 days following

(a) the merger of the firm's practice with another member's practice or a firm or practice;

(b) the acquisition by the firm of another member's practice or a firm or practice; and

(c) the dissolution of the firm.

(6) The designated representative of a professional corporation shall notify the institute in writing not later than 30 days following

(a) the merger of the professional corporation's practice with another member's practice, or firm or practice;

(b) the sale or transfer of the voting shares of the professional corporation to another member or firm;

(c) the acquisition by the professional corporation of another member's practice or a firm or practice; and

(d) the dissolution or amalgamation of the professional corporation.

(7) The name of the professional corporation shall include the words "professional corporation" and shall comply with subsection (1) in respect of the names that may be used and registered by professional corporations.

(8) A partnership consisting of 2 or more professional corporations or of one or more members and one or more professional corporations may establish a firm for the purpose of providing the services of chartered accountants.

(9) The sale or transfer of the voting shares of a professional corporation to another member or firm does not require re-registration unless the professional corporation continues to provide the services of a chartered accountant after the sale or transfer takes effect.

Limited liability
partnerships

12. (1) A firm that has registered one or more offices under section 11 is eligible to be registered as limited liability partnership under section 55 of the *Partnership Act*.

(2) A limited liability partnership shall provide to the institute proof of registration as a limited liability partnership.

(3) Upon receipt of proof of registration, the institute shall change the firm name registered with the institute by adding the phrase Limited Liability Partnership or its abbreviation LLP.

ASCA accredited as
approved school

13. (1) The institute acknowledges ASCA as a recognized post-graduate education institution offering a co-operative education program.

(2) The institute accredits ASCA's prescribed program of study as fulfilling the institute's student education requirement.

Filing of an allegation

14. (1) Within 30 days of receipt of an allegation the respondent shall be notified in writing that an allegation has been received.

(2) A respondent shall have 30 days from the notification of the allegation to respond to the complainant's allegation.

(3) The chairperson of the complaints authorization committee shall inform the respondent and the complainant within 120 days of receipt of the allegation whether the committee intends to conduct an investigation of the allegation under section 31 of the Act.

Appointment of an
adjudication tribunal

15. An adjudication tribunal shall be appointed within 30 days of the receipt of the charges by the disciplinary panel.

Adjudication tribunal
hearing date

16. (1) An adjudication tribunal shall set a hearing date at the later of

(a) 120 days after the decision of the complaints authorization committee that grounds exist to start a disciplinary proceeding; or

(b) 90 days after the complaint is referred to the disciplinary panel.

(2) With the agreement of the respondent and the board, the chairperson of the adjudication tribunal may extend a period referred to in subsection (1).

Decision of the
adjudication tribunal

17. The written decision and orders of an adjudication tribunal shall be provided to the board and the respondent within 90 days of the completion of the hearing of the complaint by the adjudication tribunal.

Service to the
public

18. For the purpose of subsection 11(5) of the Act, a person provides services to the public where he or she

- (a) practises as a "public accountant" as defined in the *Public Accountancy Act*;
- (b) performs an assurance engagement as defined in the *CICA Handbook*;
- (c) performs a specific auditing procedures engagement as defined in the *CICA Handbook*;
- (d) performs a compilation engagement as defined in the *CICA Handbook* where there is third party reliance on financial information that is the subject of the compilation engagement;
- (e) practises accounting, where it involves analysis, advice and interpretation in an expert capacity, but excluding record keeping;
- (f) practises taxation, where it involves advice and counselling in an expert capacity, but excluding mechanical processing of returns; and
- (g) prepares a tax return or other statutory filing when the preparation is in connection with a practice offering or providing a service as described in paragraph (a), (b), (c), (d), (e), or (f).

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NEWFOUNDLAND AND LABRADOR REGULATION 86/09

Local Service District Regulations (Amendment)
under the
Municipalities Act, 1999

(Filed September 29, 2009)

Under the authority of section 415 of the *Municipalities Act, 1999*, I make the following regulations.

Dated at St. John's, September 16, 2009.

Dianne C. Whalen
Minister of Municipal Affairs

REGULATIONS

Analysis

1. S.8.1 Added
Composition of committee
after amalgamation

CNLR 747/96
as amended

1. The *Local Service District Regulations* is amended by adding immediately after section 8 the following:

Composition of
committee after
amalgamation

8.1 (1) Within 60 days of an order under paragraph 387(b), (d) or (e) of the Act

(a) altering the boundaries of a local service district;

- (b) amalgamating 2 or more local service districts; or
- (c) including one or more unincorporated areas in an amalgamation under paragraph (d),

the householders in

- (d) a local service district whose boundaries have been altered;
- (e) an area in a local service district that has been amalgamated; or
- (f) an unincorporated area being included in a local service district under paragraph (d),

shall meet to elect a member to represent them on the committee of the local service district to which the change relates.

(2) The meeting referred to in subsection (1) shall be called by posting a notice in at least 2 public places in each area to which the change relates at least 7 days before the date of the meeting.

(3) A quorum for a meeting held under subsection (1) is 10% of the householders in the area.

(4) Where the householders in an area fail to elect a member as required by subsection (1), the minister shall appoint a member to represent the householders on the committee.

(5) A member of a committee elected under subsection (1) or appointed under subsection (4) holds office until the expiration of the term of office of the members who held office at the time of his or her election or appointment.

(6) Subsection 8(4) applies to persons appointed by the minister under subsection (4).

(7) Subsections (1) and (4) apply with respect to the members elected or appointed under them, notwithstanding subsection 8(1).

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NEWFOUNDLAND AND LABRADOR REGULATION 87/09

Memorial University Traffic Regulations
under the
Memorial University Act

(Filed September 29, 2009)

Under the authority of section 35 of the *Memorial University Act*, the Board of Regents makes the following regulations.

Dated at St. John's, September 10, 2009.

Tina Pardy
Secretary, Board of Regents
Memorial University

REGULATIONS

Analysis

- | | |
|--------------------------------------|---------------------------------------|
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Short title

1. These regulations may be cited as the *Memorial University Traffic Regulations*.

Definitions

2. In these regulations

- (a) "Act" means the *Memorial University Act*;
- (b) "board" means the Board of Regents;
- (c) "campus" includes all land owned, occupied or leased by the university and any buildings erected on it;
- (d) "Campus Enforcement and Patrol" means the security force of the university;
- (e) "car pool" means where 2 or more persons register separate vehicles to comprise a car pool;
- (f) "crosswalk" means
 - (i) a part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface, or
 - (ii) the part of a roadway at an intersection that is included within the connection of the lateral lines of the sidewalks on the opposite sites of a highway, measured

from the curbs or, in the absence of curbs, from the edges of the roadway;

- (g) "drop off points" means areas on campus designated for the drop off and pick up of passengers;
- (h) "employee" means a person on the payroll of the university or a person employed by the Eastern Regional Integrated Health Authority and working at the Health Sciences Centre;
- (i) "fee" means a fee prescribed by the board;
- (j) "hospital" means the Eastern Regional Integrated Health Authority;
- (k) "Memorial University of Newfoundland" means the corporate body established and continued under the Act;
- (l) "minister " means the minister appointed under the *Executive Council Act* to administer the Act;
- (m) "motor cycle" means a motor cycle within the meaning of the *Highway Traffic Act*;
- (n) "motor vehicle" means a motor vehicle within the meaning of the *Highway Traffic Act* and includes a motor cycle;
- (o) "no parking area" means
 - (i) a part of the university land where signs are erected under the Act or under these regulations to indicate that no parking is permitted,
 - (ii) a part of the university land that is not covered by a hard surface, or
 - (iii) a part of the university land that is a sidewalk, walkway or otherwise not intended for use by a motor vehicle;
- (p) "park or parking" means to permit a vehicle whether occupied or not to remain in a stationary position, except when halting temporarily for the purpose of, and while actually

engaged in, the loading and unloading of goods and passengers;

- (q) "parking areas" means that portion of university land designated for the parking of motor vehicles;
- (r) "parking meter" means a device which indicates on it the length of time during which a vehicle may be parked and which has as a part of it a receptacle for receiving and storing coins, a slot or place in which the coins may be deposited, a timing mechanism to indicate the passage of the interval of time during which the parking is permissible and which also displays a signal when the interval of time has elapsed;
- (s) "parking meter space" means any area or portion of any highway, street or parking area marked out under these regulations for the accommodation of a vehicle and adjacent to which a parking meter has been installed;
- (t) "permit" means a permit issued under the Act or these regulations;
- (u) "permit only area" means a part of the campus where signs erected under subsection 35(7) of the Act indicate that parking is not permitted except under permit;
- (v) "person" includes a partnership, corporation or association;
- (w) "roadway" means that portion of university land designated for the use of motorized vehicles, excluding parking areas;
- (x) "service personnel" means persons employed by companies, firms, government departments, individuals or agencies providing services full-time or part-time on campus;
- (y) "signs" means a marking or device displayed or erected by the university to regulate the movement of pedestrian and vehicular traffic and the parking of vehicles on campus;
- (z) "student" means a student registered in either day or evening courses for credit or non-credit;

- (aa) "summons" means an issued summons which relates to an alleged traffic or parking offence;
- (bb) "traffic control device" means a parking meter, mechanical gate or other device used for the control of traffic or parking;
- (cc) "traffic officer" means a member of Campus Enforcement and Patrol or a police officer;
- (dd) "university" means the Memorial University of Newfoundland;
- (ee) "university land" means all land owned or occupied or leased by the university and any buildings erected on it;
- (ff) "vehicle" means a vehicle as defined by the *Highway Traffic Act*, and includes a motor cycle; and
- (gg) "visitor" means a person not defined as a student, employee or service personnel.

Application

3. (1) All persons using university land are subject to these regulations.

(2) Unless otherwise specified, these regulations are in effect 24 hours a day, 7 days a week.

Revisions and conflict

4. (1) Any revision to these regulations shall be published in the MUN Gazette and the Muse and may be posted on the university notice boards.

(2) In the case of a conflict between map designations and on-site signs regarding parking instructions, the on-site signage shall be assumed to be the more recent and shall take precedence.

Passenger drop-off/pick up points

5. Locations for the drop-off and pick-up of passengers have been established on campus and are marked with signs.

Parking in designated areas only

6. (1) Parking on campus is permitted in designated parking areas only unless permission to park elsewhere is given by a Campus Enforcement and Patrol officer or police officer.

(2) Parking in designated areas shall be in accordance with signs and instructions noted regarding restricted times.

(3) Parking is not permitted on campus roadways, loading zones, fire zones, traffic lanes within parking lots, drop-off points or where otherwise indicated by signs.

(4) Notwithstanding subsection (3), parking may be permitted on campus roadways where metered parking is provided.

(5) A person shall not park a vehicle in a manner that violates or contravenes subsection (1), (2) or (3).

Parking meter
spaces

7. (1) The Director of Facilities Management is authorized to designate and mark out by suitable lines or marking separate parking meter spaces, adapted for the parking and accommodation of a vehicle, on the roadways or other university property and to cause to be installed adjacent to each parking meter space a parking meter.

(2) Each parking meter shall have marked on the face plate of the meter the maximum period of time during which a vehicle may be parked in the parking meter space adjacent to which that parking meter is installed.

User pay parking

8. (1) User pay parking is available in designated areas at the times and for the rates posted.

(2) A vehicle shall not be parked in a designated user pay area until the designated fee has been paid.

(3) All vehicles parked in designated user pay areas shall be parked in a manner complying with these regulations and shall be removed before 7:00 daily.

(4) A person shall not park a vehicle in a manner contrary to this section.

Issuing permits

9. The issuance of parking permits shall be under the direction and control of the Director of Facilities Management and administered by Campus Enforcement and Patrol.

Permit areas

10. The Director of Facilities Management is authorized to designate areas on university land as parking areas and to mark out and des-

ignate by suitable lines, marking or signs within those areas, designated parking spaces adapted for the parking and accommodation of a vehicle, whether on the roadways or other university land and to designate the parking permits applicable for each designated area.

Obtaining a parking permit

11. (1) Students, employees, service personnel and other persons having a direct association with the university or hospital, and wishing to park a vehicle in a designated area on campus shall obtain a parking permit.

(2) Application forms for parking permits referred to in subsection (1) are available at the Campus Enforcement and Patrol Office.

Process of application

12. (1) Applications may be processed by mail.

(2) The application form shall be completed and signed by the applicant, and shall include the applicable fee and proof of ownership of the vehicle.

(3) University employees requesting their parking fee to be deducted from their salaries must complete and sign the applicable portion of the application form.

Affirmation by applicant

13. (1) By signing the application form, the applicant acknowledges that he or she has read, understands, and agrees to abide by these regulations.

(2) Applications may not be processed if the applicant has outstanding tickets and the applicant has previously shown disregard for these regulations.

Special consideration

14. (1) In special circumstances, an application made by an individual for a parking permit for a vehicle not registered to him or her may be considered.

(2) Written permission from the registered owner of the vehicle must be provided before consideration will be given to requests made under subsection (1).

Designated areas

15. (1) Parking in designated areas shall be allocated as space permits.

(2) The fees for each designated area will be prescribed by the board.

(3) Priority shall be given to full-time faculty and staff and to persons with disabilities who were registered for the parking area in the previous year.

(4) Priority for the current year's permit issue shall not be applicable after May 31.

(5) Full-time students living in university residences may apply for a parking permit, on a semester basis, for area 8, 10A, 11, 12, 14, 22 or 24.

(6) Full-time students living in residences at Sir Wilfred Grenfell College may apply for areas P-4, P-2.2, P-6 and P-7.

(7) Permits will be granted on a first-come basis.

(8) Full-time and part-time day students not residing on campus, and who have acquired a minimum of 48 credit hours, may apply for a permit, on a semester basis, for area 16A or 36, or in those other areas in which the manager of Campus Enforcement and Patrol has determined that space is available, and those permits will be issued as space is available on the basis of a computerized random draw.

(9) Part-time evening students may apply for a permit for area 15, 16A or 36, which if available will be valid for parking after 3:00 pm on weekdays and all day on Saturday and Sunday.

(10) Students living in university residence while attending summer semester or intersession may apply for a permit for area 8, 10A, 11, 12, or 14 and those permits will be granted on a first-come basis.

(11) Students not residing on campus while attending summer semester or intersession, and who have acquired a minimum of 48 credit hours, may apply for a permit for area 16A or 36, or in those other areas in which the manager of Campus Enforcement and Patrol has determined that space is available, and those permits will be issued as space is available on the basis of a computerized random draw.

(12) In the event that an applicant does not receive the preferred parking area indicated on the application form, a written request may

be sent to the assistant manager of Campus Enforcement and Patrol, indicating a continued interest in the preferred area as space becomes available.

Decals

16. (1) Permits in the form of decals issued for vehicles other than motorcycles, car pool vehicles or multiple vehicles shall be affixed on the inside of the front windshield and located in the top centre behind the rearview mirror so as not to interfere with the drivers vision, as approved by the minister.

(2) Decals when affixed must be clearly visible through the front windshield from outside the vehicle.

(3) Motorcycle decals shall be affixed on the front or rear fender so as to be clearly visible.

(4) Where a location referred to in subsection (1) or (3) is not considered satisfactory, applicants may contact Campus Enforcement and Patrol for advice regarding satisfactory placement of the decal.

(5) All previous university decals shall be removed from the windshield.

Special or temporary permit

17. (1) Temporary or special permits may be issued by Campus Enforcement and Patrol to meet specific needs of students, employees or other persons having a direct association with the university

(a) when the registered vehicle is out of service;

(b) when the registered owner suffers temporary health or disability problems; or

(c) for guests of the university.

(2) Special or temporary permits shall be in the form of cards and must be placed on the dashboard of the vehicle so as to be clearly visible through the front windshield from outside the vehicle when it is on campus.

Registration of multiple vehicles

18. (1) A person may be permitted to register two vehicles for the same parking area.

(2) The area fee for registration in subsection (1) shall apply for the first vehicle and an administration fee as prescribed by the board shall be charged for the second vehicle.

(3) Where registration is permitted under subsection (1), only one vehicle shall be parked on the designated parking area at a time.

(4) Multiple vehicle permits shall be laminated by Campus Enforcement and shall be hung from the rearview mirror of the vehicle so as to be clearly visible through the front windshield from outside the vehicle when it is on campus.

(5) Upon being satisfied of a breach of this section Campus Enforcement and Patrol may rescind the permit issued for both vehicles either in addition to or in substitution of any other penalty.

Second permits

19. (1) As space permits, a second permit may be issued where 2 persons using one vehicle on campus request permission to park in different parking areas.

(2) Where the areas requested have different fee schedules, the higher fee shall apply and an additional administrative fee as prescribed by the board shall be charged for the second permit.

(3) Both permits shall be laminated by Campus Enforcement and Patrol and shall be hung from the rearview mirror of the vehicle so as to be clearly visible through the front windshield from outside the vehicle when it is on campus.

Car pools

20. (1) Two or more employees, or three or more students, may apply for a single permit at the appropriate fee for use in a car pool.

(2) An application shall be completed for each vehicle in the car pool.

Car pool permits

21. Car pool permits shall be laminated by Campus Enforcement and Patrol and shall be hung from the rearview mirror of the vehicle so as to be clearly visible through the front windshield from outside the vehicle when it is on campus.

Replacement permits

22. (1) Replacement permits may be issued as circumstances require upon sale of vehicles or replacement of windshields or in other circumstances as considered appropriate by Campus Enforcement and Patrol.

(2) Recognizable portions of the valid permit previously issued shall be returned to Campus Enforcement and Patrol.

(3) An administrative fee as approved by the board shall be charged for permits issued under subsection (1).

Persons with disabilities

23. (1) Persons physically disabled or having some other health disability who require special consideration regarding parking may make requests in writing to the assistant manager of Campus Enforcement and Patrol:

(a) when submitting their application form; or

(b) regarding particular parking problems.

(2) Every reasonable effort will be made to accommodate requests made under subsection (1).

(3) Medical verification of disability may be required for an application under subsection (1) by the assistant manager of Campus Enforcement and Patrol.

Special occasions

24. (1) Persons organizing conferences, seminars, or inviting guest lecturers may contact the assistant manager of Campus Enforcement and Patrol concerning desired parking arrangements.

(2) Where circumstances warrant special temporary permits may be issued for those designated areas, the duration and upon the conditions as determined appropriate by the assistant manager of Campus Enforcement and Patrol.

(3) An administrative fee as approved by the board shall be charged for permits issued under subsection (2).

(4) A person shall not park a vehicle in violation or contravention of any of the conditions of a special temporary permit.

Departmental permits

25. (1) Departments, including those departments located off campus which have requirements for personnel to visit other departments or sections on campus on departmental business, may apply for a special departmental permit.

(2) Applications giving full details of special requirements shall be submitted in writing by the dean, director, or department head to the assistant manager of Campus Enforcement and Patrol.

(3) A departmental parking permit shall only be used by members of a department in carrying out their duties to the university or the hospital and is intended to provide temporary parking in a parking area other than that allocated to the individual.

(4) Departmental permits shall only be used by currently registered permit holders in vehicles registered with the university.

(5) The dean, director, or department head making an application under subsection (2) shall ensure that a departmental permit is not misused.

(6) The misuse of a departmental permit referred to in subsection (4) may result in the rescission of the permit.

Retired faculty and staff

26. (1) Faculty and staff retired from the employ of the university or the hospital may apply for a parking permit.

(2) Permits issued under subsection (1) shall be free of charge.

(3) Notwithstanding subsections (1) and (2), permits to retired faculty and staff shall be issued on a space available basis.

Prohibition

27. (1) A person shall not deface, copy or duplicate a permit issued under these regulations.

(2) A person shall not provide false or misleading information in the process of obtaining a parking permit.

(3) A person shall not leave a vehicle continuously parked on university land for more than 3 consecutive days without prior approval from the Campus Enforcement and Patrol.

Payment of fees

28. (1) All fees referred to in these regulations shall be as prescribed by the board.

(2) Fees may be paid at a Campus Enforcement and Patrol Office.

(3) Fees may be paid by cash, cheque, money order, or electronic debit when available.

(4) Employees sending fees through the mail may send their cheque or money order payable to Memorial University of Newfoundland.

(5) University employees may have their parking fee paid through salary deduction by completing and signing the applicable portion of the application form.

(6) Applicants shall include their employee number on the application form.

(7) Applications for payroll deduction shall not be accepted after September 30 in the current parking year.

Prorated permits

29. (1) Permits issued for the current parking year shall be valid from May 1 to April 30.

(2) Permits issued after June 30 in the current parking year shall be prorated monthly.

Cancellation of permits

30. (1) A permit holder wishing to cancel a parking permit shall do so by returning recognizable portions of the decal or permit to Campus Enforcement and Patrol.

(2) Individuals requesting a refund shall complete a request for refund form.

(3) Where the original payment was in the form of cash or cheque, a 30 day processing period shall apply.

(4) Where the original payment was a payroll deduction

(a) a lump sum deduction shall be processed against the applicant's payroll to close out an outstanding balance; or

(b) where there is no outstanding balance, the request for refund shall be processed and a cheque available 30 days from the final payroll deduction.

(5) It is the responsibility of the employee to initiate the refund process.

(6) A prorated refund shall be made, if applicable.

(7) An administrative fee shall be deducted from a refund, and a minimum refund shall apply after that administrative fee has been deducted.

(8) Refunds shall be calculated by Campus Enforcement and Patrol and paid by cheque from the Comptroller's Office.

Cancellation of gate control cards

31. (1) A permit holder who is issued a gate control card with a permit and who wishes to cancel his or her permit may be required to return the control card and all recognizable portions of the decal or permit.

(2) Where the control card is submitted to Campus Enforcement and Patrol, the refund shall be calculated in accordance with these regulations.

Alternate designated areas

32. (1) The issuance of a permit for a designated area does not guarantee that parking space will be available at all times in that area.

(2) Where the assigned area on 1, 1A, 2, 3, 4, 5, 6, 7, 7A, 8, 9, 10, 10A, 11, 12, 13, 14, 15, 15A, 15B, 16, 16A, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 30, 31, 36, 51, 52, 56, 56A, 60 or 62 is fully occupied, alternative parking for valid permit holders is Area 15 or 16A.

(3) Where the assigned area on the parking areas 9, 9A, 9B, 9C, 9E or 9K is fully occupied, the alternative parking for valid permit holders is area 9G.

After hours parking

33. Parking areas 9, 15, 16A, and 9G are available, under normal circumstances, to a vehicle with a valid university parking permit after 3 p.m.

Alternate parking for permit holders

34. (1) A vehicle displaying a valid university parking permit may, as space permits, park in another parking area at the following times:

(a) between Monday 5 p.m. and Tuesday 7 a.m.;

(b) between Tuesday 5 p.m. and Wednesday 7 a.m.;

- (c) between Wednesday 5 p.m. and Thursday 7 a.m.;
- (d) between Thursday 5 p.m. and Friday 9 a.m.;
- (e) between Friday 4 p.m. and Monday 7 a.m.; and
- (f) during statutory holidays and other times when the university buildings are closed.

(2) Subsection (1) does not apply to Parking Area 9B at the Health Sciences Centre and Parking Areas 1, 1A, 2, 8, 10, 10A, 11, 12, 13, 14, 24, 25, and 56A on campus and parking areas with control gates or parking meters.

Closure of parking areas

35. (1) Parking areas may be closed when necessary for maintenance, cleaning, snow clearing, safety or other purposes.

(2) A person shall not park in a parking area that has been closed.

Trailers

36. (1) Trailers shall not be parked on campus unless explicit permission is given by Campus Enforcement and Patrol.

(2) A person shall not park a trailer in a manner that violates or contravenes this section.

Parking prohibitions

37. (1) A person shall not park a vehicle in designated parking areas for which a permit is required without a valid permit for that area.

(2) A person shall not park a vehicle in a designated parking area for which that person has a valid permit without properly displaying the permit as specified in these regulations.

(3) A person other than the holder of a permit shall not park a motor vehicle in an area for which a permit is required.

(4) A person shall not park a vehicle in such a way as to occupy more than one parking space within a designated parking area.

(5) A person shall not enter a designated parking area which is controlled by a gate control device or for which payment is required other than through the designated entry way.

38. A person shall not park a motor vehicle upon university land in a manner as to interfere with the parking of other motor vehicles or other motor vehicles attempting to enter upon or leave a portion of university land.

39. (1) Where a sign which has the words "NO PARKING" or a symbol for "NO PARKING" inscribed on it is erected on a roadway and the part of the roadway to which the sign is applicable is clearly indicated by painted lines or words or markers on the roadway or by additional words inscribed on the signs describing the area to which the prohibition of the sign is applicable by name or other description or by reference to another sign erected on or near the same roadway, the driver of a vehicle shall not park the vehicle in the area to which the sign applies, or between the hours or during the time specified on the sign.

(2) Where a sign which has the words "NO PARKING EXCEPT UNDER PERMIT" or a symbol for "NO PARKING EXCEPT UNDER PERMIT" inscribed on it is erected on a roadway and the part of the roadway to which the sign is applicable is indicated by painted lines or words or markers on the highway or by additional words or symbols inscribed on the sign describing the area to which the prohibition of the sign is applicable by name or other description or by reference to another sign erected on or near the same roadway, a person other than the person to whom the permit was issued shall not park a vehicle in the area to which the sign applies.

(3) A person shall not park a vehicle in a manner that violates or contravenes this section.

40. (1) A person shall not park any vehicle in any parking meter space at any time unless the driver or operator of that vehicle, immediately after parking the vehicle in the parking meter space, deposits in the parking meter adjacent to that parking meter space a coin or coins as indicated on the parking meter for each sixty minutes of time or part of it during which the vehicle is to be parked in the parking meter space.

(2) Upon compliance with these requirements, the person shall be entitled to use the parking meter space for parking purposes for the interval of time indicated by the timing mechanism of the parking meters.

(3) A person shall not allow a vehicle to remain parked in any parking meter space for a period longer than that for which payment has been made by the driver or operator in the form of coins deposited in the parking meter adjacent to that parking space but the driver or operator may park a vehicle in a parking space for the unexpired time remaining on the parking meter from this previous use without depositing a coin in the meter.

(4) A person shall not permit a vehicle to remain in a parking space while the signal "Expired" or "Violation" is in view on the parking meter.

(5) A person shall not permit a vehicle to park or cause or permit to be parked in any parking meter space any motor vehicle forming part of the stock-in-trade of any company or person who is a dealer in motor vehicles.

(6) A person shall not park a vehicle at a metered parking space other than in the direction of the normal traffic flow.

(7) A person shall not allow a vehicle to remain parked in any parking meter space for any period longer than the maximum period of time indicated by the marking on the face plate of the parking meter adjacent to the parking meter space.

(8) A person shall not park any vehicle in such a manner that it is not wholly within the area designated or marked under these regulations as a parking meter space and, if a vehicle of a length so as to prevent it from being parked within one parking meter space and occupies part of the adjoining parking meter space, then the person parking that vehicle shall make the necessary deposit of coins as required by these regulations in the parking meter for each of the adjoining parking meter spaces occupied in whole or in part by the vehicle as if that person had parked two vehicles in the adjoining parking meter spaces.

General prohibitions

41. (1) Except where otherwise provided or where necessary to avoid conflict with traffic or to comply with the law or the directions of a traffic officer or traffic-control device, a person shall not stop, stand or park a vehicle on a roadway or university land so that the vehicle or a part of it is

(a) in violation of the direction provided by any sign erected and applicable to the area in which the vehicle is parked;

- (b) on a campus roadway;
- (c) in a no parking area;
- (d) double parked;
- (e) in an area that is not clearly defined as a parking space;
- (f) occupying more than one marked parking space;
- (g) on a sidewalk, walkway, landscaped area or in any area not designated or intended to be used for parking;
- (h) in front of a public or private driveway;
- (i) in front of an authorized loading door designated as that by the Director of Facilities Management;
- (j) within an intersection or within 6 metres of an intersection;
- (k) within one metre from the point on the curb or edge of the roadway immediately opposite a fire hydrant;
- (l) within 3 metres of a fire exit;
- (m) within a hospital emergency area;
- (n) within a designated fire lane;
- (o) within a designated loading zone;
- (p) within a crosswalk;
- (q) within 6 metres of the approach of a crosswalk;
- (r) within 10 metres upon the approach to a flashing beacon, stop sign or traffic-control signal located at the side of a roadway;
- (s) within a designated bus stop or drop off area;
- (t) within 6 metres of a designated bus stop or drop off area;

- (u) alongside or opposite a street excavation or obstruction when stopping, standing or parking obstructs traffic;
- (v) on the roadway side of a vehicle stopped or parked at the edge or curb of a roadway;
- (w) in a manner contrary to the directions of a posted sign;
- (x) obstructs or impedes the movement of other vehicles or pedestrians; or
- (y) in a place in contravention of a traffic-control device that gives notice that stopping, standing or parking is there prohibited or restricted.

(2) Except where otherwise provided or where necessary to avoid conflict with traffic or to comply with the law or the directions of a traffic officer or traffic-control device, a person shall not stop, stand or park a vehicle on a highway so that the vehicle or a part of it is in a place of contravention of a traffic-control device that gives notice that stopping, standing, or parking is there prohibited and restricted.

(3) Except where otherwise permitted, a driver shall not stop, stand or park a vehicle on a highway other than on the right side of the highway parallel to that side and, where there is a curb, with the wheels within 30 centimetres of the curb.

Parking approval-
Facilities Manage-
ment

42. (1) Except in accordance with the Act or these regulations the driver of a vehicle shall not park the vehicle upon university land unless permission has been obtained from the Director of Facilities Management, either orally or in writing and either without or subject to conditions.

(2) A driver who receives permission under subsection (1) shall park the vehicle in accordance with the conditions to which the permission is subject or, where there are no conditions, as otherwise directed by the Director of Facilities Management.

Disabled parking

43. (1) For the purposes of this section:

- (a) "disabled parking space" means a parking space set aside for disabled persons to park a motor vehicle and so designated by the parking prohibited except disabled sign;

- (b) "parking prohibited except disabled sign" means the sign used to designate that parking is prohibited at all times, disabled drivers excepted, on all days, in the directions indicated by the arrows and the sign shall conform to the specifications of the RB-71 sign in the 4th edition of the Manual of Uniform Traffic Control Devices for Canada;
- (c) "international wheelchair logo" means the sign or symbol with a white wheelchair on a blue background; and
- (d) "permit" means the permit bearing the international wheelchair logo which has been issued by the Province of Newfoundland and Labrador.

(2) A person, other than the holder of a valid permit or a person accompanying a permit holder, shall not park a motor vehicle in a disabled parking space.

(3) Every person who holds a permit and parks in a disabled parking space shall display that permit in the driver's side, lower portion of that vehicle's windshield while parked in that space.

(4) For the purpose of this section, a motor vehicle displaying a valid special license plate or valid parking permit with the international wheelchair logo and issued under the laws of a province other than the Province of Newfoundland and Labrador or a state of the United States, shall be recognized as valid and allowing the special parking privileges provided in these regulations.

Visitor's parking

44. A person who is not a visitor shall not park a motor vehicle in a parking space designated for visitor's parking.

Enforcement

45. (1) Any person who violates or contravenes any provision of these regulations is guilty of an offence and is liable to the fine set out in the schedule, or where no fine is set out, to the penalty provided in the Act.

(2) A vehicle parked in violation of these regulations or the Act may be towed and impounded at the direction of a Campus Enforcement and Patrol officer where:

- (a) the parking offence continues for 48 hours;

- (b) the vehicle is interfering with the parking of other motor vehicles;
- (c) the vehicle is interfering with other motor vehicles attempting to enter upon or leave a portion of university land;
- (d) the vehicle is obstructing the flow of traffic on a roadway or parking area;
- (e) the vehicle is parked in a fire lane or loading zone; or
- (f) the vehicle is parked in a manner that creates a hazard to pedestrians or other vehicles.

Possession of
vehicle without
consent

46. (1) The owner of a vehicle shall incur the penalties provided for a violation of these regulations with respect to a vehicle owned by him or her unless at the time of the violation the owner establishes that some person, other than the owner, was in possession of the vehicle without the consent of the owner.

(2) Nothing in this regulation shall relieve the driver or operator referred to in subsection (1) from incurring the penalties provided for a violation of these regulations.

Rescinding permits

47. A parking permit may be rescinded the Director of Facilities Management for

- (a) obvious disregard of these regulations;
- (b) defacing a permit;
- (c) copying or duplicating a permit;
- (d) misuse of a permit;
- (e) supplying false information; or
- (f) damaging or tampering with a traffic control device or sign.

Rescinded permits

48. Persons whose university vehicle parking permits have been rescinded shall not be eligible for a refund.

Towing fee	<p>49. A towing fee as prescribed by the board shall be charged by the university and shall be payable during normal business hours at the Campus Enforcement and Patrol Office on the St. John's campus or at the Bursar's Office at the Sir Wilfred Grenfell College, Corner Brook.</p>
Impounding fee	<p>50. An impounding fee per day or any part of a day as prescribed by the board may be charged for an impounded vehicle and shall be payable during normal business hours at the Campus Enforcement and Patrol Office on the St. John's campus or at the Bursar's Office at the Sir Wilfred Grenfell College, Corner Brook.</p>
Release of seized vehicles	<p>51. Vehicles towed or impounded shall be released to the registered owner on the payment of the applicable towing and impounding fees.</p>
Repeal	<p>52. The <i>Traffic Control and Parking Regulations</i>, Consolidated Newfoundland and Labrador Regulation 1123/96, is repealed.</p>

Schedule

The following fines are to be applied to the offences specified

1. Any breach of s. 40 -- \$15.00
2. Breach of any other section -- \$20.00

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**NEWFOUNDLAND AND LABRADOR
REGULATION 88/09**

*Proclamation bringing the Act into force
under
An Act to Amend the Highway Traffic Act
(O.C. 2009-287)*

(Filed September 29, 2009)

*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

DON BURRAGE
Deputy Attorney General

TO ALL TO WHOM THESE PRESENTS SHALL COME,

GREETING;

A PROCLAMATION

WHEREAS in and by section 32 of *An Act to Amend the Highway Traffic Act*, SNL2009 c9 (the "Act") it is provided that 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 on the date set out below;

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 Highway Traffic Act*, SNL2009 c9, shall come into force on October 1, 2009.

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 28th day of September
in the year of Our Lord two thousand and nine
in the fifty-eighth year of Our Reign.

BY COMMAND,

BAXTER ROSE
Deputy Registrar General



**NEWFOUNDLAND AND LABRADOR
REGULATION 89/09**

Licensing and Equipment Regulations (Amendment)
under the
Highway Traffic Act

(Filed October 1, 2009)

Under the authority of section 195 of the *Highway Traffic Act*, I
make the following regulations.

Dated at St. John's, October 1, 2009.

Kevin O'Brien
Minister of Government Services

REGULATIONS

Analysis

- | | |
|---------------------------------------|---|
| 1. S.3 Amdt.
Licensing | 3. S.6 Amdt.
Markers |
| 2. S.4 Amdt.
Identification plates | 4. S.42 Amdt
Inspecting and testing vehicles |

CNLR 1007/96
as amended

1. (1) Paragraph 3(1)(b) of the *Licensing and Equipment Regulations* is amended by deleting the word "stickers" and the comma immediately before that word.

(2) Paragraph 3(2)(b) of the regulations is amended by deleting the word "sticker" where it first occurs and the comma immediately before that word.

(3) Subparagraph 3(2)(b)(iii) of the regulations is amended by deleting the word "stickers" and the comma immediately before that word.

(4) Subparagraph 3(2)(b)(iv) of the regulations is amended by deleting the word "sticker" and the comma immediately before that word.

2. (1) Paragraph 4(3)(a) of the regulations is amended by deleting the word "stickers" and substituting the word "markers".

(2) Subsection 4(4) of the regulations is amended by deleting the word "stickers" and substituting the word "markers".

3. Subsection 6(1) of the regulations is amended by deleting the reference "paragraph 34(1)(c)" and substituting the reference "section 34".

4. (1) Subsection 42(2) of the regulations is amended by deleting the phrase "or affix a void sticker to".

(2) Subsection 42(4) of the regulations is amended by deleting the words "or voided".

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Title of Act and Subordinate Legislation made thereunder	CNLR or NL Reg.	Amendment	NL Gazette Date & Page No.
An Act to Amend the Highway Traffic Act			
Proclamation bringing Act into force (Oct. 1/09)	NLR 88/09	New Extraordinary Oct. 1/09	Oct. 2/09, p. 705
Chartered Accountants Act, 2008			
Chartered Accountants Regulations	NLR 85/09	New	Oct. 2/09, p. 669
Highway Traffic Act			
Licensing and Equipment Regulations (Amdt.)	NLR 89/09	Amends CNLR 1007/96, Ss. 3, 4, 6 & 42 Amdt Extraordinary Oct. 1/09	Oct. 2/09, p. 707
Memorial University Act			
Memorial University Parking Regulations	NLR 87/09	R&S CNLR 1123/96	Oct 2/09, p. 681
Municipalities Act, 1999			
Local Service District Regulations (Amdt.)	NLR 86/09	Amends CNLR 747/96, S.8.1 Added	Oct 2/09, p. 679

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