



# THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 85

ST. JOHN'S, FRIDAY, JANUARY 29, 2010

No. 4

## CANADA-NEWFOUNDLAND ATLANTIC ACCORD IMPLEMENTATION ACT

### CANADA-NEWFOUNDLAND AND LABRADOR ATLANTIC ACCORD IMPLEMENTATION NEWFOUNDLAND AND LABRADOR ACT

### CANADA-NEWFOUNDLAND AND LABRADOR OFFSHORE PETROLEUM BOARD CALL FOR BIDS No. NL09-01

The Canada-Newfoundland and Labrador Offshore Petroleum Board hereby gives notice of the term and conditions of the interests issued as a result of Call for Bids No. NL09-01. The bid selected, and the information contained on the prescribed bid forms, were published in *The Newfoundland and Labrador Gazette*, on November 27, 2009.

This notice is made pursuant to and subject to the *Canada-Newfoundland Atlantic Accord Implementation Act*, S.C., 1987, c. 3, and the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act*, RSNL., 1990, cC-2.

Exploration Licence No. 1117 was issued to the following interest owner:

<u>Exploration Licence</u>	<u>Interest Owner</u>	<u>Ownership %</u>
1117	Husky Oil Operations Limited	72.50%
	Suncor Energy Inc.	27.50%

The following is a summary of the terms and conditions of the exploration licence specified herein:

1. The exploration licence confers:
  - (a) the right to explore for, and the exclusive right to drill and test for, petroleum;

- (b) the exclusive right to develop those portions of the offshore area in order to produce petroleum; and
  - (c) the exclusive right, subject to compliance with the other provisions of the Act, to obtain a production licence.
2. The exploration licence was issued for a nine-year term effective January 15, 2010.
  3. Period I is a period of five (5) years commencing on the effective date of the licence specified herein. The interest owner shall commence the drilling of the well within Period I, and diligently pursue such drilling thereafter, as a condition precedent to obtaining tenure during Period II.
  4. The interest owner may at its option extend Period I from five (5) years to six (6) years by posting a Drilling Deposit with the Board before the end of the fifth year of Period. If a Drilling Deposit is posted, it will be refunded in full if the Licence is validated for Period II by the drilling of a well.

If a validation well is not drilled, the Drilling Deposit will be forfeited to the Receiver General for Canada upon the termination of the Licence. Allowable Expenditures cannot be applied against the Drilling Deposit.

5. Upon the expiration of Period II, there shall be a deemed surrender of the interest except as it relates to the lands or any portion thereof subject to a significant discovery licence, or a production licence.
6. The interest owner for the exploration licence specified herein was required to provide the following security deposit in the form of a promissory note satisfactory to the Board:

<u>Exploration Licence</u>	<u>Security Deposit</u>
1117	\$9,200,000

A credit against the deposit will be made following each anniversary date of the exploration licence on the basis of 25% of allowable expenditures. Any deposit balance remaining at the end of Period I, or following the termination of a well commenced and being pursued diligently but not terminated within Period I, or upon the surrender of rights, will be forfeited.

7. Rentals will be applicable only in Period II at a rate of \$5.00 per hectare in respect of the first year and increasing thereafter by \$5.00 per hectare per year, up to and including the third year. Rentals for the fourth year will be \$15.00 per hectare.
8. Other terms and conditions referred to in the licence include provisions respecting Significant Discoveries, Allowable Expenditures, Indemnity, Exploration Plans, Joint Operatins Agreements, Liability, Successors and Assigns, Notice and Appointment of Representative.
9. For the payment of a prescribed service fee, the exploration licence, may be inspected, or by written request, certified copies made available at the following address: Office of the Registrar, Canada-Newfoundland and Labrador Offshore Petroleum Board, Fifth Floor, TD Place, 140 Water Street, St. John's, Newfoundland and Labrador, A1C 6H6, 709-778-1400.

January 2010

MAX RUELOKKE  
Chairman & CEO

Jan 29

---

**CANADA-NEWFOUNDLAND AND LABRADOR OFFSHORE PETROLEUM BOARD  
CALL FOR BIDS No. NL09-02**

The Canada-Newfoundland and Labrador Offshore Petroleum Board hereby gives notice of the term and conditions of the interests issued as a result of Call for Bids No. NL09-02. The bid selected, and the information contained on the prescribed bid forms, were published in *The Newfoundland and Labrador Gazette*, on November 27, 2009.

This notice is made pursuant to and subject to the *Canada-Newfoundland Atlantic Accord Implementation Act*, S.C., 1987, c. 3, and the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act*, RSNL., 1990, cC-2.

Exploration Licences Nos. 1118 and 1119 were issued to the following interest owners:

<u>Exploration Licence</u>	<u>Interest Owners</u>	<u>Ownership %</u>
1118	ConocoPhillips Canada Resources Inc. BHP Billiton Petroleum (Laurentian) Corporation	55.00% 45.00%
1119	ConocoPhillips Canada Resources Inc. BHP Billiton Petroleum (Laurentian) Corporation	64.0091% 35.9909%

The following is a summary of the terms and conditions of the exploration licences specified herein:

1. An exploration licences confer:
  - (a) the right to explore for, and the exclusive right to drill and test for, petroleum;
  - (b) the exclusive right to develop those portions of the offshore area in order to produce petroleum; and
  - (c) the exclusive right, subject to compliance with the other provisions of the Act, to obtain a production licence.
2. The exploration licences are issued for a nine-year term effective January 15, 2010.
3. Period I is a period of five (5) years commencing on the effective date of this licence specified herein. The interest owner shall commence the drilling of the well within Period I, and diligently pursue such drilling thereafter, as a condition precedent to obtaining tenure during Period II.
4. The interest owners may at their option extend Period I from five (5) years to six (6) years by posting a Drilling Deposit with the Board before the end of the fifth year of Period. If a Drilling Deposit is posted, it will be refunded in full if the Licence is validated for Period II by the drilling of a well.

If a validation well is not drilled, the Drilling Deposit will be forfeited to the Receiver General for Canada upon the termination of the Licence. Allowable Expenditures cannot be applied against the Drilling Deposit.

5. Upon the expiration of Period II, there shall be a deemed surrender of the interest except as it relates to the lands or any portion thereof subject to a significant discovery licence, or a production licence.
6. The interest owners for the exploration licence specified herein were required to provide the following security deposit in the form of a promissory note satisfactory to the Board:

<u>Exploration Licence</u>	<u>Security Deposit</u>
1118	\$2,00,052
1119	\$250,000

A credit against the deposit will be made following each anniversary date of the exploration licence on the basis of 25% of allowable expenditures. Any deposit balance remaining at the end of Period I, or following the termination of a well commenced and being pursued diligently but not terminated within Period I, or upon the surrender of rights, will be forfeited.

7. Rentals will be applicable only in Period II at a rate of \$2.50 per hectare in respect of the first year and increasing thereafter by \$2.50 per hectare per year, up to and including the third year. Rentals for the fourth year will be \$7.50 per hectare.
8. Other terms and conditions referred to in the licence include provisions respecting Significant Discoveries, Allowable Expenditures, Indemnity, Exploration Plans, Joint Operatins Agreements, Liability, Successors and Assigns, Notice and Appointment of Representative.

9. For the payment of a prescribed service fee, the exploration licence, may be inspected, or by written request, certified copies made available at the following address: Office of the Registrar, Canada-Newfoundland and Labrador Offshore Petroleum Board, Fifth Floor, TD Place, 140 Water Street, St. John's, Newfoundland and Labrador, A1C 6H6, 709-778-1400.

January 2010

MAX RUELOKKE  
Chairman & CEO

Jan 29

**CANADA-NEWFOUNDLAND AND LABRADOR OFFSHORE PETROLEUM BOARD  
CALL FOR BIDS No. NL09-03**

The Canada-Newfoundland and Labrador Offshore Petroleum Board hereby gives notice of the term and conditions of the interests issued as a result of Call for Bids No. NL09-03. The bid selected, and the information contained on the prescribed bid forms, were published in *The Newfoundland and Labrador Gazette*, on November 27, 2009.

This notice is made pursuant to and subject to the *Canada-Newfoundland Atlantic Accord Implementation Act*, S.C., 1987, c. 3, and the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act*, RSNL., 1990, cC-2.

Exploration Licence No. 1120 was issued to the following interest owner:

<u>Exploration Licence</u>	<u>Interest Owner</u>	<u>Ownership %</u>
1120	Ptarmigan Energy Inc.	100.00%

The following is a summary of the terms and conditions of the exploration licence specified herein:

- The exploration licence confers:
  - the right to explore for, and the exclusive right to drill and test for, petroleum;
  - the exclusive right to develop those portions of the offshore area in order to produce petroleum; and
  - the exclusive right, subject to compliance with the other provisions of the Act, to obtain a production licence.
- The exploration licence was issued for a nine-year term effective January 15, 2010.
- Period I is a period of five (5) years commencing on the effective date of the licence specified herein. The interest owner shall commence the drilling of the well within Period I, and diligently pursue such drilling thereafter, as a condition precedent to obtaining tenure during Period II.
- The interest owner may at its option extend Period I from five (5) years to six (6) years by posting a Drilling Deposit with the Board before the end of the fifth year of Period. If a Drilling Deposit is posted, it will be refunded in full if the Licence is validated for Period II by the drilling of a well.

If a validation well is not drilled, the Drilling Deposit will be forfeited to the Receiver General for Canada upon the termination of the Licence. Allowable Expenditures cannot be applied against the Drilling Deposit.
- Upon the expiration of Period II, there shall be a deemed surrender of the interest except as it relates to the lands or any portion thereof subject to a significant discovery licence, or a production licence.
- The interest owner for the exploration licence specified herein was required to provide the following security deposit in the form of a promissory note satisfactory to the Board:

<u>Exploration Licence</u>	<u>Security Deposit</u>
1120	\$300,000

A credit against the deposit will be made following each anniversary date of the exploration licence on the basis of 25% of allowable expenditures. Any deposit balance remaining at the end of Period I, or following the termination of a well

commenced and being pursued diligently but not terminated within Period I, or upon the surrender of rights, will be forfeited.

7. Rentals will be applicable only in Period II at a rate of \$2.50 per hectare in respect of the first year and increasing thereafter by \$2.50 per hectare per year, up to and including the third year. Rentals for the fourth year will be \$7.50 per hectare.
8. Other terms and conditions referred to in the licence include provisions respecting Significant Discoveries, Allowable Expenditures, Indemnity, Exploration Plans, Joint Operatins Agreements, Liability, Successors and Assigns, Notice and Appointment of Representative.
9. For the payment of a prescribed service fee, the exploration licence, may be inspected, or by written request, certified copies made available at the following address: Office of the Registrar, Canada-Newfoundland and Labrador Offshore Petroleum Board, Fifth Floor, TD Place, 140 Water Street, St. John's, Newfoundland and Labrador, A1C 6H6, 709-778-1400.

January 2010

MAX RUELOKKE  
Chairman & CEO

Jan 29

---

**URBAN AND RURAL PLANNING ACT**

**NOTICE OF REGISTRATION  
TOWN OF CARBONEAR**

**DEVELOPMENT REGULATIONS AMENDMENT  
No. 16, 2009**

TAKE NOTICE that the Town of Carbonear Development Regulations Amendment No. 16, 2009, adopted by Council on the 17<sup>th</sup> day of March 2009, has been registered by the Minister of Municipal Affairs.

In general terms, Development Regulations Amendment No. 16, 2009 will allow Council discretion in the siting requirements and location for an accessory building in the Residential-Seasonal Land Use Zone.

The Town of Carbonear Development Regulations Amendment No. 16, 2009, 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 Carbonear Development Regulations Amendment No. 16, 2009, may do so at the Town Office, Carbonear during normal working hours.

TOWN OF CARBONEAR  
Cynthia Davis, Administrator

Jan 2

---

**LANDS ACT**

**NOTICE OF INTENT**

**LANDS ACT, c36, SNL 1991**

Notice is hereby given that RHONDA PARSONS of 8 Old Bonne Bay Pond Road, NL intends to apply to the Department of Environment and Conservation, two months from the publication of this Notice, to acquire title, pursuant to Section 7(2) (e) of the said Act, to that piece of Crown Land situated within fifteen (15) metres of the

waters of Bonne Bay Big Pond, in the Electoral District of Humber St. Barbe for the purpose of establishing a wharf (12 x 50 ft) and being more particularly described as follows:

*Bounded on the North by Road Right of Way  
for a distance of 48.532m;  
Bounded on the East by property of  
Rhonda Parsons Vol. 151 Fol 133  
for a distance of 61.590m;  
Bounded on the South by Vol 143 Fol 88  
for a distance of 64.059m  
Bounded on the West by Big Bonne Bay Pond  
for a distance of 44.782m;  
and containing an area of  
approximately 600 square feet.*

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 RHONDA PARSONS Telephone (709) 543.-2260

Jan 29

---

**NOTICE OF INTENT**

**LANDS ACT, c36, SNL 1991**

Notice is hereby given that WOODROW RUMBOLT, of Castor River South, NL intends 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 Castor's Harbour, in the Electoral District of St. Barbe for the purpose of a Residential Grant and being more particularly described as follows:

*Bounded on the North by Castor's Harbour  
for a distance of 29m;  
Bounded on the East by Crown Land  
for a distance of 20m;  
Bounded on the South by Castor's Harbour  
for a distance of 22m  
Bounded on the West by Castor's Harbour  
for a distance of 26m;  
and containing an area of  
approximately 620 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 WOODROW RUMBOLT Telephone (709) 686-0719

Jan 29

---

**TRUSTEE ACT**

**ESTATE NOTICE**

**IN THE ESTATE OF HAROLD J. WHITE, Late, of the City of Corner Brook, in the Province of Newfoundland and Labrador, Deceased: December 22, 2008.**

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of HAROLD J. WHITE, late of the City of Corner Brook, in the Province of Newfoundland and Labrador, deceased, are hereby requested to send the particulars of the same in writing, duly attested, to the undersigned Solicitor for the Administrator of the Estate on or before the 28<sup>th</sup> day of

February, 2010 after which date the said Administrator will proceed to distribute the said Estate having regard only to the claims of which notice shall have been received.

DATED at Stephenville, Newfoundland and Labrador, this 22<sup>nd</sup> day of January, 2010

ROXANNE PIKE  
Solicitor for the Administrator  
PER: Roxanne Pike

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

Jan 29

---



# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART II

### SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

---

Vol. 85

ST. JOHN'S, FRIDAY, JANUARY 29, 2010

No. 4

---

### NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 1/10

NLR 5/10

NLR 7/10



## NEWFOUNDLAND AND LABRADOR REGULATION 1/10

*Petroleum Products Regulations (Amendment)*  
under the  
*Petroleum Products Act*  
(O.C. 2010-17)

*(Filed January 15, 2010)*

Under the authority of section 23 of the *Petroleum Products Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, January 15, 2010.

Gary Norris  
Clerk of the Executive Council

### REGULATIONS

#### *Analysis*

- |   |   |
|---|---|
| 1. S.2 Amdt.<br>Definitions                                 | 4. S.14 Amdt.<br>Periodic adjustment timing |
| 2. S.4 Amdt.<br>Periodic reports                            | 5. Sch. R&S                                 |
| 3. S.9 Amdt.<br>Initial setting of the bench-<br>mark price |   |

NLR 79/01  
as amended

**1. Paragraph 2(a) of the *Petroleum Products Regulations* is repealed and the following substituted:**



- (a) "Act" means the *Petroleum Products Act*;
- (a.1) "benchmark" means, with respect to a type, grade or component of heating fuel or motor fuel,
  - (i) the reported product price assessment by Platts and by Bloomburgs in the case of propane, and as set out in the Schedule, and
  - (ii) notwithstanding subparagraph (i), with respect to mid-grade and premium unleaded gasoline, the product price assessment for Unl 87;

**2. (1) Subsection 4(1) of the Regulations is amended by deleting the word "and" at the end of paragraph (c), by deleting the period at the end of paragraph (d) and substituting a semi-colon and the word "and" and by adding immediately after paragraph (d) the following:**

- (e) any information which the board determines is necessary in relation to the administration of the Act and these regulations.

**(2) Subsection 4(2) of the Regulations is amended by deleting the word "and" at the end of paragraph (d), by deleting the period at the end of paragraph (e) and substituting a semi-colon and the word "and" and by adding immediately after paragraph (e) the following:**

- (f) any information which the board determines is necessary in relation to the administration of the Act and these regulations.

**(3) Subsection 4(3) of the Regulations is amended by deleting the word "and" at the end of paragraph (f), by deleting the period at the end of paragraph (g) and substituting a semi-colon and the word "and" and by adding immediately after paragraph (g) the following:**

- (h) any information which the board determines is necessary in relation to the administration of the Act and these regulations.

**3. Section 9 of the Regulations is amended by adding immediately after subsection (1) the following:**

(1.1) The benchmark price for a motor fuel or heating fuel that is a combination of liquid products distilled from petroleum shall be the sum of the benchmark price calculated under subsection (1) for each product multiplied by the percentage by which each product is a component of the motor fuel or heating fuel, which percentage shall be determined by the board.

**4. (1) Subsection 14(2) of the Regulations is repealed and the following substituted:**

(2) For each type of motor fuel and heating fuel, the benchmark price shall be adjusted to be the average of the average of the daily high and low product prices for the benchmark, as reported in Platts or Bloomburghs, during the period immediately following

- (a) the date on which the benchmark price was first established by the board; or
- (b) where the benchmark price has been previously adjusted, the date of which the benchmark price was last adjusted.

**(2) Section 14 of the Regulations is amended by adding immediately after subsection (2) the following:**

(2.1) Notwithstanding subsection (2), the benchmark price for mid-grade and premium unleaded gasoline shall be adjusted to be the sum of the benchmark price for Unl 87 adjusted in accordance with this section plus

- (a) 3 cents per litre for mid-grade unleaded gasoline; and
- (b) 6 cents per litre for premium unleaded gasoline.

(2.2) Notwithstanding subsection (2), the benchmark price for a motor fuel or heating fuel that is a combination of liquid products distilled from petroleum shall be adjusted to be the sum of the benchmark price adjusted in accordance with this section for each product multiplied by the percentage by which each product is a component of the motor fuel or heating fuel, which percentage shall be determined by the board.

(2.3) Notwithstanding the other provisions of this section, where the board determines that an alternate pricing methodology would result in a benchmark price for a type of motor fuel or heating fuel which is more reasonably reflective of the cost of the fuel for or within a zone in Labrador in which there is an approved price freeze, the board may establish an alternative pricing methodology, including a different benchmark price adjustment schedule for that type of motor fuel or heating fuel.

**(3) Subsection 14(5) of the Regulations is repealed and the following substituted:**

(5) When making an adjustment under this section, the board may compel relevant information from a wholesaler or retailer, in a form prescribed by the board, and may hold a hearing where it considers one is desirable.

**5. The Schedule to the Regulations is repealed and the following substituted:**

**Schedule**

Platts New York Cargo Unl 87

Platts New York Cargo No. 2

Platts New York Cargo LSD

Platts New York Cargo ULSD

Platts New York Cargo ULSKero

Platts New York Cargo Jet

Platts New York Cargo LS Jet

Bloomberg Oil Buyers Guide US Propane Contract Postings Samia

**©Earl G. Tucker, Queen's Printer**



**NEWFOUNDLAND AND LABRADOR  
REGULATION 5/10**

*Certified General Accountants Regulations*  
under the  
*Certified General Accountants Act, 2008*

*(Filed January 26, 2010)*

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

Dated at St. John's, January 22, 2010.

Trevnor McCormick  
Chairperson  
Board of the Certified General Accountants  
Association of Newfoundland and Labrador

Kevin O'Brien  
Minister of Government Services

**REGULATIONS**

*Analysis*

- |  |   |
|--|---|
| 1. Short title   | 12. Limited liability partnerships          |
| 2. Definitions   | 13. Accountancy program                     |
| 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. Alternate dispute resolution            |
| 8. Honourary membership                                      | 19. Service to the public                   |
| 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 *Certified General Accountants Regulations*.

Definitions

**2.** In these regulations

- (a) "Act" means the *Certified General Accountants Act, 2008*;
- (b) "applicant" means a person applying to the association for membership;
- (c) "by-laws" means the by-laws of the association;
- (d) "CGA Canada" means the Certified General Accountants Association of Canada;
- (e) "firm" means a sole proprietorship, partnership or corporation;
- (f) "partnership" includes a limited liability partnership;
- (g) "profession" means the profession of certified general accountants in Newfoundland and Labrador and "professional" refers to a member of the profession;
- (h) "provincial association" means an association of certified general accountants incorporated in a province or territory of Canada, or in another country, but does not include the Certi-

fied General Accountants Association of Newfoundland and Labrador;

- (i) "rules of professional conduct" means the rules of professional conduct of the association; and
- (j) "student" means a person who is enrolled with the association in a school or program of accountancy offered or approved by the association as meeting the educational requirements for certification..

Admission to membership

**3.** (1) The membership of the association consists of those persons who are members or fellows of the association 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 certification of a certified general accountant granted under section 11 of the Act shall be renewed by the registrar if the member fulfils the following requirements:

- (a) submits to the registrar completed forms or reports that may be prescribed by the board for the continuation of certification; and
- (b) provides full payment to the association of the annual and other fees and dues no later than the date specified in the by-laws or as otherwise determined by the board.

(3) The board may by resolution admit to membership of the association a student who has registered with the association and who has fulfilled the educational, practical experience and examination requirements prescribed by the board, completed a declaration in the form the board may require and for whom it has received satisfactory evidence of good moral character.

(4) The board shall admit into membership of the association

- (a) a member in good standing of a provincial association and whose professional qualifications and experience are satisfactory to the board; and
- (b) a member or former member of an accounting body outside Canada which recognizes membership in the association 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 association 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 association,

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 association, and professional standards and requirements for admission to and continuance of membership which are acceptable to the association.

(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 association 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 association;
  - (d) is the subject of a charge laid by the disciplinary body of another provincial association; 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 board may re-admit to membership of the association an applicant who has completed the requirements prescribed by the board for readmission.

(2) The board may require an applicant to submit documentation acceptable to it that an applicant has completed the prescribed requirements for readmission.

(3) The board shall give prompt written notice to the applicant of its decision reached under subsection (1).

Fellows

7. (1) A member of the association, in good standing, who has been designated a fellow by CGA Canada shall be admitted as a fellow of the association.

(2) A member who is admitted as a fellow of the association shall be entitled to take and use the designation "Fellow of Certified General Accountants" or the initials F.C.G.A.

(3) The use of the designation F.C.G.A. shall be subject to the by-laws of the association.

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



Honourary membership

**8.** (1) A person, who has given conspicuous service to the association, either in the advancement of its educational objects or general welfare, or by material contribution to the association, may by 2/3 vote of the board be elected to honorary membership in the association.

(2) An honorary membership does not confer upon a person the right to use the designation "certified general 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 association 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 association.

(3) A membership certificate shall be under the seal of the association under the signature of the chairperson or vice-chairperson and by the registrar or secretary.

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 "Certified General Accountants" or "Fellow of Certified General Accountants", or permit the partnership to take the initials "C.G.A." or "F.C.G.A.".

Firm and professional corporation names and registration

**11.** (1) A member, firm, or professional corporation shall register with the association, in the manner prescribed by the board, the name or names under which the member or firm carries on an 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 association, a firm or professional corporation shall designate a member of the association to be the designated representative of the firm or professional corporation.

(4) In addition to the requirements in section 20(2) of the Act, a professional corporation shall

(a) provide to the registrar a certified copy of the articles of incorporation of the corporation to be registered; and

(b) pay an annual or other fees or dues prescribed by the board.

(5) A member shall notify the association 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.

(6) The designated representative of a firm shall notify the association 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.

(7) The designated representative of a professional corporation shall notify the association 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.

(8) 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.

(9) 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 certified general accountants.

(10) 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 certified general 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 a limited liability partnership under section 55 of the *Partnership Act*.

(2) A limited liability partnership shall provide to the association proof of registration as a limited liability partnership and pay the fee the board may prescribe.

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

Accountancy program

**13.** The association may

- (a) directly administer a program of accountancy;
- (b) enter into agreements or arrangements suitable to the board with another body or school for the provision of a program or school of accountancy; or
- (c) enter into agreements for the recognition of other national or international programs or schools of accountancy.

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.

Alternate dispute resolution

**18.** (1) Where an allegation is referred by the complaints authorization committee to the registrar or another person for alternate dispute resolution, the registrar or other person has 120 days from the referral to resolve the allegation.

(2) Where the persons engaged in alternate dispute resolution under subsection (1) agree, the period referred to in subsection (1) may be extended for an additional 60 days.

Service to the public

**19.** For the purpose of subsection 11(3) of the Act, a person provides services directly 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; or
- (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).

©Earl G. Tucker, Queen's Printer



**NEWFOUNDLAND AND LABRADOR  
REGULATION 7/10**

*Notice of Protected Water Supply Area of Shoal Harbour River,  
WS-S-018, Town of Clarenville  
under the  
Water Resources Act*

*(Filed January 26, 2010)*

Under the authority of section 39 of the *Water Resources Act*, I designate the area generally known as the *Shoal Harbour River Water Supply Area* for the Town of Clarenville as a protected water supply area.

Dated at St. John's, January 13, 2010.

Charlene Johnson  
Minister of Environment and Conservation

**NOTICE**

This area includes all lands in the Provincial Electoral District of Trinity North abutted and bounded as follows:

Beginning at a point having scaled UTM coordinates of easting 716 023 metres and northing 5 349 214 metres;

Then running in a southeasterly direction for a distance of 825 metres, more or less, to a point having scaled UTM coordinates of easting 716 653 metres and northing 5 348 681 metres;

Then running in a easterly direction for a distance of 1116 metres, more or less, to a point having scaled UTM coordinates of easting 717 769 metres and northing 5 348 677 metres;

Then running in a southeasterly direction for a distance of 866 metres, more or less, to a point having scaled UTM coordinates of easting 718 281 metres and northing 5 347 979 metres;

Then running in a easterly direction for a distance of 1227 metres, more or less, to a point having scaled UTM coordinates of easting 719 508 metres and northing 5 347 956 metres;

Then running in a southeasterly direction for a distance of 1076 metres, more or less, to a point having scaled UTM coordinates of easting 719 938 metres and northing 5 346 970 metres;

Then running in a southerly direction for a distance of 1000 metres, more or less, to a point having scaled UTM coordinates of easting 719 796 metres and northing 5 345 980 metres;

Then running in a easterly direction for a distance of 1460 metres, more or less, to a point having scaled UTM coordinates of easting 721 222 metres and northing 5 345 665 metres;

Then running in a southerly direction for a distance of 688 metres, more or less, to a point having scaled UTM coordinates of easting 721 451 metres and northing 5 345 016 metres;

Then running in a southerly direction for a distance of 1222 metres, more or less, to a point having scaled UTM coordinates of easting 721 360 metres and northing 5 343 797 metres;

Then running in a southeasterly direction for a distance of 908 metres, more or less, to a point having scaled UTM coordinates of easting 722 096 metres and northing 5 343 266 metres;

Then running in a southeasterly direction for a distance of 426 metres, more or less, to a point having scaled UTM coordinates of easting 722 426 metres and northing 5 342 997 metres;

Then running in a southerly direction for a distance of 1457 metres, more or less, to a point having scaled UTM coordinates of easting 722 194 metres and northing 5 341 559 metres;

Then running in a southwesterly direction for a distance of 508 metres, more or less, to a point having scaled UTM coordinates of easting 721 741 metres and northing 5 341 330 metres;

Then running in a westerly direction for a distance of 582 metres, more or less, to a point having scaled UTM coordinates of easting 721 185 metres and northing 5 341 503 metres;

Then running in a southwesterly direction for a distance of 584 metres, more or less, to a point having scaled UTM coordinates of easting 720 699 metres and northing 5 341 180 metres;

Then running in a northwesterly direction for a distance of 629 metres, more or less, to a point having scaled UTM coordinates of easting 720 256 metres and northing 5 341 627 metres;

Then running in a westerly direction for a distance of 823 metres, more or less, to a point having scaled UTM coordinates of easting 719 438 metres and northing 5 341 540 metres;

Then running in a northwesterly direction for a distance of 499 metres, more or less, to a point having scaled UTM coordinates of easting 719 114 metres and northing 5 341 920 metres;

Then running in a westerly direction for a distance of 1198 metres, more or less, to a point having scaled UTM coordinates of easting 717 916 metres and northing 5 341 947 metres;

Then running in a southwesterly direction for a distance of 571 metres, more or less, to a point having scaled UTM coordinates of easting 717 628 metres and northing 5 341 454 metres;

Then running in a westerly direction for a distance of 771 metres, more or less, to a point having scaled UTM coordinates of easting 716 890 metres and northing 5 341 231 metres;

Then running in a southeasterly direction for a distance of 940 metres, more or less, to a point having scaled UTM coordinates of easting 717 750 metres and northing 5 340 854 metres;

Then running in a southerly direction for a distance of 193 metres, more or less, to a point having scaled UTM coordinates of easting 717 781 metres and northing 5 340 663 metres;



Then running in a southerly direction for a distance of 694 metres, more or less, to a point having scaled UTM coordinates of easting 717 726 metres and northing 5 339 972 metres;

Then running in a southwesterly direction for a distance of 391 metres, more or less, to a point having scaled UTM coordinates of easting 717 493 metres and northing 5 339 657 metres;

Then running in a southerly direction for a distance of 351 metres, more or less, to a point having scaled UTM coordinates of easting 717 471 metres and northing 5 339 307 metres;

Then running in a southeasterly direction for a distance of 865 metres, more or less, to a point having scaled UTM coordinates of easting 717 950 metres and northing 5 338 587 metres;

Then running in a southerly direction for a distance of 1257 metres, more or less, to a point having scaled UTM coordinates of easting 718 394 metres and northing 5 337 411 metres;

Then running in a westerly direction for a distance of 408 metres, more or less, to a point having scaled UTM coordinates of easting 717 987 metres and northing 5 337 384 metres;

Then running in a southerly direction for a distance of 1093 metres, more or less, to a point having scaled UTM coordinates of easting 717 584 metres and northing 5 336 368 metres;

Then running in a westerly direction for a distance of 981 metres, more or less, to a point having scaled UTM coordinates of easting 716 604 metres and northing 5 336 416 metres;

Then running in a southwesterly direction for a distance of 3117 metres, more or less, to a point having scaled UTM coordinates of easting 713 780 metres and northing 5 335 096 metres;

Then running in a northerly direction for a distance of 1624 metres, more or less, to a point having scaled UTM coordinates of easting 713 236 metres and northing 5 336 626 metres;

Then running in a northerly direction for a distance of 712 metres, more or less, to a point having scaled UTM coordinates of easting 713 494 metres and northing 5 337 290 metres;

Then running in a northwesterly direction for a distance of 2685 metres, more or less, to a point having scaled UTM coordinates of easting 711 634 metres and northing 5 339 226 metres;

Then running in a northerly direction for a distance of 2145 metres, more or less, to a point having scaled UTM coordinates of easting 711 843 metres and northing 5 341 361 metres;

Then running in a northwesterly direction for a distance of 1310 metres, more or less, to a point having scaled UTM coordinates of easting 710 674 metres and northing 5 341 952 metres;

Then running in a westerly direction for a distance of 2091 metres, more or less, to a point having scaled UTM coordinates of easting 708 595 metres and northing 5 342 177 metres;

Then running in a northwesterly direction for a distance of 1970 metres, more or less, to a point having scaled UTM coordinates of easting 707 492 metres and northing 5 343 809 metres;

Then running in a northerly direction for a distance of 1116 metres, more or less, to a point having scaled UTM coordinates of easting 707 216 metres and northing 5 344 890 metres;

Then running in a northeasterly direction for a distance of 3305 metres, more or less, to a point having scaled UTM coordinates of easting 709 954 metres and northing 5 346 741 metres;

Then running in a northeasterly direction for a distance of 2001 metres, more or less, to a point having scaled UTM coordinates of easting 710 807 metres and northing 5 348 551 metres;

Then running in a southeasterly direction for a distance of 2277 metres, more or less, to a point having scaled UTM coordinates of easting 712 857 metres and northing 5 347 559 metres;

Then running in a northeasterly direction for a distance of 2259 metres, more or less, to a point having scaled UTM coordinates of easting 714 411 metres and northing 5 349 198 metres;

Then running in a northeasterly direction for a distance of 1151 metres, more or less, to a point having scaled UTM coordinates of easting 715 445 metres and northing 5 349 704 metres;

*Notice of Protected Water Supply Area of Shoal  
Harbour River, WS-S-018, Town of Clarenville*

7/10

Then running in a southeasterly direction for a distance of 750 metres, more or less, to a point having scaled UTM coordinates of easting 716 017 metres and northing 5 349 219 metres;

Then running in a southeasterly direction for a distance of 8 metres, more or less, to the point of commencement.

All coordinates refer Zone 21 of the NAD 83 Universal Transverse Mercator Projection.

**The *Notice of Protected Water Supply Area of Shoal Harbour River*, Newfoundland and Labrador Regulation 112/96, is repealed.**

©Earl G. Tucker, Queen's Printer

## Index

### PART I

Canada-Newfoundland Atlantic Accord Implementation Act and Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act– Notices.....	27
Lands Act, 1991– Notices.....	31
Trustee Act– Notice.....	32
Urban and Rural Planning Act– Notices.....	31

### PART II

#### CONTINUING INDEX OF SUBORDINATE LEGISLATION

Title of Act and Subordinate Legislation made thereunder	CNLR or NL Reg.	Amendment	NL Gazette Date & Page No.
<b>Certified General Accountants Act, 2008</b>			
Certified General Accountants Regulations	NLR 5/10	New	Jan 29/10, p. 27
<b>Petroleum Products Act</b>			
Petroleum Products Regulations, (Amdt.)	NLR 1/10	Amends NLR 79/01 Ss.2,4,9 & 14 amdt. Sch. R&S Extraordinary Jan 15/10	Jan 29/10, p.23
<b>Water Resources Act</b>			
Notice of Protected Water Supply Area of Shoal Harbour River WS–S–0168, Town of Clarenville	NLR 7/10	R&S NLR112/96	Jan 29/10, p.37

*The Newfoundland and Labrador Gazette* is published from the office of Earl G. Tucker, Queen's Printer.

Copy for publication must be received before **Friday, 4:30 p.m.**, seven days before publication, to ensure inclusion in next issue.

Advertisements should be typewritten or printed legibly, separate from covering letter. Number of insertions required must be stated and the names of all signing officers typewritten or printed.

Copy may be mailed to the address below, faxed to (709) 729-1900 or emailed to [queensprinter@gov.nl.ca](mailto:queensprinter@gov.nl.ca).

Advertising rates are available upon request. Subscription rate for *The Newfoundland and Labrador Gazette* is \$125.00 for 52 weeks plus applicable tax (\$131.25). Weekly issues of \$3.00 per copy, plus tax payable in advance.

All cheques, money orders, etc., should be made payable to THE NEWFOUNDLAND EXCHEQUER ACCOUNT and all correspondence should be addressed to: Office of the Queen's Printer, P. O. Box 8700, Ground Floor, East Block, Confederation Building, St. John's, NL A1B 4J6. Telephone (709) 729-3649. Fax: (709) 729-1900.

**Web Site:** <http://www.gs.gov.nl.ca/gs/oqp>

**Place your order by contacting:  
Office of The Queen's Printer  
Confederation Building, East Block  
St. John's, NL A1B 4J6  
Telephone: (709) 729-3649 Fax: (709) 729-1900  
email: [queensprinter@gov.nl.ca](mailto:queensprinter@gov.nl.ca)**

**Government Information Product  
Publication Rate Mail  
G.S.T. # R107442683**

**All requests for Subscription and Legislation MUST be prepaid.**