



# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART I

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Vol. 85

ST. JOHN'S, FRIDAY, MARCH 5, 2010

No. 9

### CITY OF ST. JOHN'S ACT



#### ST. JOHN'S MUNICIPAL COUNCIL NOTICE ST. JOHN'S CONFLICT OF INTEREST BY-LAW

TAKE NOTICE that the St. John's Municipal Council has enacted the St. John's Conflict of Interest (Amendment No. 1 – 2010) By-Law.

The said By-Law was passed by Council on the 22<sup>nd</sup> day of February, 2010 so as to clarify that insignificant or remote interests that currently are not subject to disclosure requirements, are not considered to be pecuniary interests for the purpose of the By-Law.

All persons are hereby required to take notice that any person who wishes to view such By-Law may view same at the Office of the City Solicitor of the St. John's Municipal Council at City Hall, and that any person who wishes to obtain a copy thereof may obtain it at the said office upon

the payment of a reasonable charge as established by the St. John's Municipal Council for such copy.

Dated this 24<sup>th</sup> day of February, 2010.

CITY OF ST. JOHN'S  
Neil Martin - City Clerk

P.O. # 35743

Mar 5

### CORPORATIONS ACT

#### NOTICE OF CORRECTION

The Registry of Companies did not correctly record Sharrington Investments Limited (Corporation # 34553) as part of the Articles of Amalgamation dated December 31, 1999 to form the amalgamated corporation Sharron's Holdings Limited (Corporation # 42664). As such, Sharrington Investments Limited (Corporation # 34553) was inadvertently and incorrectly involuntarily dissolved by the Registry of Companies on June 13, 2006. This matter was rectified by the Registry of Companies on February 25, 2010.

DEAN DOYLE  
Registrar of Companies (Acting)

Mar 5

## HIGHWAY TRAFFIC ACT

### TOWN OF STEADY BROOK SNOW CLEARING REGULATIONS

PURSUANT to authority delegated by the *Highway Traffic Act* of the Province of Newfoundland & Labrador, and all other powers enabling it on this behalf, the Town Council of Steady Brook has made the following regulations.

#### SNOW CLEARING REGULATIONS

1. These regulations may be cited as the Town of Steady Brook Snow Clearing Regulations – 2009.
2. (a) “Council” means The Town of Steady Brook.  
  
(b) “Municipality” means The Town of Steady Brook.  
  
(c) “Highway” means as definition by the *Highway Traffic Act* and for the purpose of these regulations means highway under the jurisdiction of Council.  
  
(d) “Street Reservation” means the land reserved by council for a highway, street, land and/or sidewalk within the Municipality.  
  
(e) “Street” means a place or way within the Municipality, including a structure forming part of the place or way, designed and intended for, or used by, the public for the passage of traffic or the parking of vehicles and includes all the space between the boundary lines of the place or way.  
  
(f) “Vehicle” means a device in or upon which a person or property may be transported or drawn upon a highway.
3. During the period from and including the first day of November in each year to and including the thirtieth day of April in the succeeding year, no person shall park an unattended vehicle upon any street reservation within the Municipality.
4. Under *Highway Traffic Act* (Section .149) any unattended vehicle parked on any street reservation within the Municipality in contravention of these regulations may be removed and impounded by the council, and the cost of such removal and impounding, including storage will be the responsibility of the registered owner of the vehicle.
5. Under *Highway Traffic Act* (Section .163) a

snow or ice to be deposited on a street or sidewalk within the Municipality.

6. No person shall install or permit or cause to be installed any object that would cause snow clearing operations to be obstructed within the *street reservation* during the period from and including the first day of November in each year to and including the thirtieth day of April in the succeeding year.
7. Any person who violates any of the provisions of these regulations is guilty of an offense and is liable on summary conviction to a penalty of not less than \$50.00 for each violation.
8. Prosecution under these regulations may be taken summarily by Council or Council Employee specifically authorized by the Council or by an R.C.M.P. Officer or Police Constable.
9. The Council may dispose of any vehicle by Public Sale, if the vehicle impounded under Section 4 is not claimed within thirty (30) days from the sale of impounding.
10. These regulations were adopted by resolution of Council at a meeting held on 28<sup>th</sup> day of January, 2009 and came into effect on the date published in *The Newfoundland and Labrador Gazette*.

Dated this 25<sup>th</sup> day of February, 2010.

TOWN OF STEADY BROOK  
Rob Gosse, Town Clerk/Manager

Mar 5

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## URBAN AND RURAL PLANNING ACT

### NOTICE OF REGISTRATION ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 478, 2010

Take notice that the St. John's Development Regulations Amendment Number 478, 2009 adopted on the 15<sup>th</sup> day of February, 2010, has been registered by the Minister of Municipal Affairs.

In general terms, the purpose of Development Regulations Amendment Number 478, 2010 is to modify the definition of “Converted Building” to include a “Food Processing Operation”.

The St. John's Development Regulations Amendment Number 478, 2010 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 amendment may do so at the Department of Planning, St. John's City Hall during regular business hours (Monday to Friday, 9am – 4:30pm).

CITY OF ST. JOHN'S  
Cheryl Kearney, Planning Department

Mar 5

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**NOTICE OF REGISTRATION  
ST. JOHN'S DEVELOPMENT  
REGULATIONS AMENDMENT  
NUMBER 477, 2010**

Take notice that the St. John's Development Regulations Amendment Number 477, 2010 adopted on the 8<sup>th</sup> day of February, 2010, has been registered by the Minister of Municipal Affairs.

In general terms, the purpose of Development Regulations Amendment Number 477, 2010 is to rezone land situated at Civic Number 397 Blackmarsh Road referred to as "Gulliver Farm" from the Comprehensive Development Area-1 (CDA-1) Zone to the Apartment Medium Density (A2) Zone and the Residential Low Density (R1) Zone.

The St. John's Development Regulations Amendment Number 477, 2010 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 amendment may do so at the Department of Planning, St. John's City Hall during regular business hours (Monday to Friday, 9am – 4:30pm).

CITY OF ST. JOHN'S  
Cheryl Kearney, Planning Department

Mar 5

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**NOTICE OF REGISTRATION  
ST. JOHN'S DEVELOPMENT  
REGULATIONS AMENDMENT  
NUMBER 475, 2010**

Take notice that the St. John's Development Regulations Amendment Number 475, 2010 adopted on the 1<sup>st</sup> day of February, 2010, has been registered by the Minister of Municipal Affairs.

In general terms, the purpose of Development Regulations Amendment Number 475, 2010 is to make provision for "Multiple Dwellings" in the Residential Medium Density (R2) Zone.

The St. John's Development Regulations Amendment Number 475, 2010 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 amendment may do so at the Department of Planning, St. John's City Hall during regular business hours (Monday to Friday, 9am – 4:30pm).

CITY OF ST. JOHN'S  
Cheryl Kearney, Planning Department

Mar 5

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**NOTICE OF REGISTRATION  
TOWN OF WITLESS BAY  
MUNICIPAL PLAN  
AMENDMENT NOS. 4 and 5, 2009, and  
DEVELOPMENT REGULATIONS  
AMENDMENT NOS. 4 and 5, 2009**

Take notice that the Town of Witless Bay Municipal Plan Amendment Nos. 4 and 5, 2009 and Development Regulations Amendment Nos. 4 and 5, 2009, as adopted by Council on the 15<sup>th</sup> day of December, 2009 has been registered by the Minister of Municipal Affairs.

In general terms, Municipal Plan Amendment No. 4, 2009 will re-designate an area of land located on the north corner of Dean's Road and the Southern Shore Highway from Rural to Commercial and Rural to Residential. Development Regulations Amendment No. 4, 2009 will re-zone the same area of land from Rural to Commercial Highway and Rural to Residential.

Municipal Plan Amendment No. 5, 2009 will re-designate an area of land located at the end of Evergreen Place, north of Gallows Cove Road from Rural to Residential. Development Regulations Amendment No. 5, 2009 will re-zone the same area of land from Rural to Residential.

The Town of Witless Bay Municipal Plan Amendment Nos. 4 and 5, 2009 and Development Regulations Amendment Nos. 4 and 5, 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 Witless Bay Municipal Plan Amendment Nos. 4 and 5, 2009 and Development Regulations Amendment Nos. 4 and 5, 2009, may do so at the Town Office, Witless Bay during normal working hours.

TOWN OF WITLESS BAY  
Geraldine Caul, Town Clerk

Mar 5

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**LANDS ACT**

**NOTICE OF INTENT  
*Lands Act*, Chapter 36  
SNL 1991, As Amended**

Notice is hereby given that the TOWN OF LEWISPORTE, Lewisporte, NL, intends to apply to the Department of Environment and Conservation, two months from the publication of this Notice, to acquire, pursuant to Section 7(2) of the said Act, to that piece of Crown land situated within fifteen (15) meters of the waters of Southwest Brook in the Electoral District of Lewisporte for the purpose of a hiking trail.

The land is described as follows:

*Bounded on the North by Crown Land  
for a distance of 15 m;  
Bounded on the East by the waters of Southwest Brook  
for a distance of 2500 m;  
Bounded on the South by Crown Land  
for a distance of 15 m;  
Bounded on the West by Crown Land  
for a distance of 2500m;  
and containing an area of  
approximately 37,500 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:

(Choose Area Applicable)

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

c/o Central Regional Lands Office, P.O. Box 2222, Gander, NL A1V 1L7

c/o Western Regional Lands Office, P.O. Box 2006, 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: PERRY POND, Town Manager. Telephone number: (709) 535-2737.

Mar 5

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#### NOTICE OF INTENT

##### **LANDS ACT, c36, SNL 1991**

Notice is hereby given that WINNIFRED CROCKER of the City of St. John's, in the Province of Newfoundland and Labrador 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) (d) of the said Act, to that piece of Crown Land situated within the fifteen (15) meters of the waters of Paddy's Pond, in the Electoral District of Conception Bay South for the purpose of resolving title issues relating to her residence at 299 Fowler's Road, St. John's, NL and being more particularly described as follows:

*Bounded on the North by N83°59'31" E  
for a distance of 10.025 m  
Bounded on the North by N47°37'10" E  
for a distance of 0.817m;  
Bounded on the North by S88°29'32" E  
for a distance of 1.220m;  
Bounded on the East by S04°12'50" W  
for a distance of 3.177m;  
Bounded on the East by S04°16'01" W  
for a distance of 4.098m;  
Bounded on the South by N85°55'52" W  
for a distance of 6.900m;  
Bounded on the South by N83°33'45" W*

*for a distance of 4.750m;  
Bounded on the West by N04°20'07" E  
for a distance of 3.070m;  
Bounded on the West by N04°14'54" E  
for a distance of 1.772m;  
and containing an area of  
approximately 50.9 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:

(Choose Area Applicable)

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 NATALIE O'DONNELL, Roebothan, McKay & Marshall, Telephone (709) 753-5805.

#### **SCHEDULE "A"**

##### **DESCRIPTION HOUSE ENCROACHMENT ON CROWN LAND CIVIC NO 299 FOWLER'S ROAD**

All that piece or parcel of land situate and being on the North side of Paddy's Pond in the City of St. John's, in the Province of Newfoundland and Labrador, Canada, bounded and abutted as follows, that is to say; Beginning at a point, the said point having T.M. Grid Co-ordinates (NAD 83) of N 5,261,003.285m and E 312,680.938m with reference to Monument No. 96G6149 with Co-ordinates of N 5, 262,937.306 m and E 310,832.854 m;

THENCE running by Crown Land South zero four degrees twelve minutes fifty seconds West (S04°12'50"W) three decimal one seven seven (3.177) metres; THENCE South eighty eight degrees twenty nine minutes thirty two seconds East (S88°29'32"E) one decimal two two zero (1.220) metres; THENCE South zero four degrees sixteen minutes zero one seconds West (S04°16'01"W) four decimal zero nine eight (4.098) metres; THENCE North eighty five degrees fifty five minutes fifty two seconds West (N85°55'52"W) six decimal nine zero (6.900) metres; THENCE North zero four degrees twenty minutes zero seven seconds East (N04°20'07"E) three decimal zero seven zero (3.070) metres; THENCE North eighty five degrees thirty three minutes forty five seconds West (N85°33'45"W) four decimal seven five zero (4.750) metres; THENCE North zero four degrees fourteen minutes

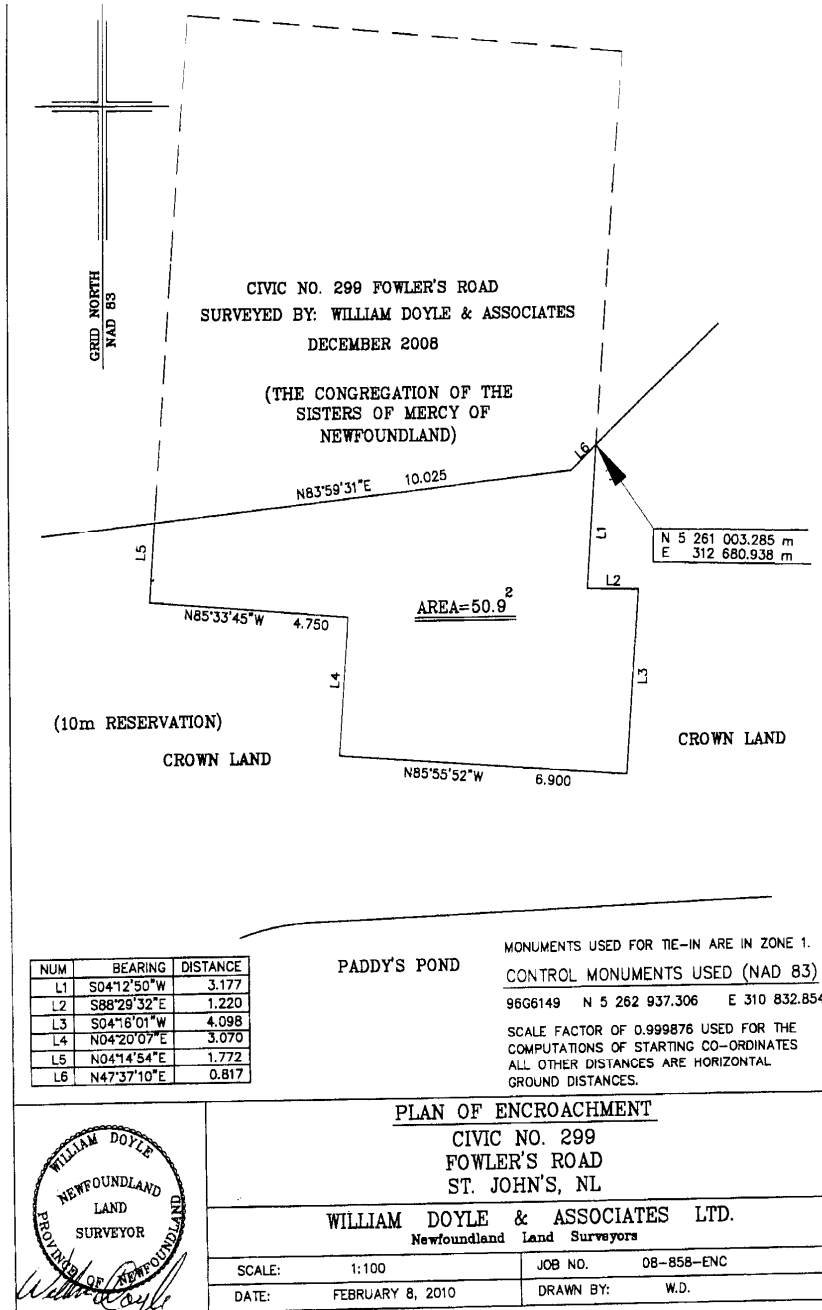
fifty four seconds East (N04°14'54"W) one decimal seven seven two (1.772) metres;

THENCE turning and running by land of The Congregation of the Sisters of Mercy of Newfoundland North eighty three degrees fifty nine minutes thirty one seconds East (N83°59'31"E) ten decimal zero two five (10.025) metres; THENCE North forty seven degrees thirty seven minutes ten seconds East (N47°37'10"E) zero decimal eight one seven (0.817) metres more or less to the point of beginning and being more particularly shown and delineated on the attached plan;

The above described land contains an area of fifty decimal nine (50.9) sq. metres more or less;

ALL bearings referenced to the meridian of fifty-three degrees west longitude of the Three Degree Modified Transverse Mercator Projection, Zone 1, NAD 83 for the province of Newfoundland and Labrador.

Job No. 08-858-ENC  
Date: February 8, 2010





# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART II

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

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Vol. 85

ST. JOHN'S, FRIDAY, MARCH 5, 2010

No. 9

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### NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 10/10  
NLR 11/10



## NEWFOUNDLAND AND LABRADOR REGULATION 10/10

*Rules of the Supreme Court, 1986 (Amendment)*  
under the  
*Judicature Act*

*(Filed March 2, 2010)*

Under the authority of section 55 of the *Judicature Act*, the Rules Committee of the Court of Appeal makes the following Rules.

Dated at St. John's, March 1, 2010.

Christopher P. Curran, Q.C.  
Registrar of the Supreme Court  
Secretary, Rules Committee

### RULES

#### *Analysis*

1. Rule 57.18 Amdt.  
Application to Set Time for  
Hearing, etc.

**1. (1) Rule 57.18(1) of the *Rules of the Supreme Court, 1986* is amended by deleting the word "shall" after the word "hearings" and substituting the word "may".**

**(2) Rule 57.18 of the rules is amended by adding immediately after rule (7) the following:**

(8) In place of an application under rule 57.18(1), the Registrar may, upon the request of a party and in consultation with the other parties and the Chief Justice or a judge designated by him or her, set a time for the hearing of the appeal.

(9) Where a judge conducting a pre-hearing conference under rule 57.22 considers it appropriate to do so, he or she may set or modify a time for the hearing of the appeal.

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## NEWFOUNDLAND AND LABRADOR REGULATION 11/10

*Members' Resources and Allowances Rules  
(Amendment)*

under the  
*House of Assembly Accountability, Integrity  
and Administration Act*

*(Filed March 4, 2010)*

Under the authority of section 64 of the *House of Assembly Accountability, Integrity and Administration Act*, the House of Assembly Management Commission makes the following Rules.

Dated at St. John's, March 3, 2010.

Tom Osborne  
Deputy Chairperson, House of Assembly Management Commission  
and Speaker of the House of Assembly

### **RULES**

#### *Analysis*

- |   |   |
|---|---|
| 1. S.31 Amdt.<br>Travel and living allowances: residence outside capital          | 3. S.33 Amdt.<br>Travel and living allowances: residence outside capital and constituency |
| 2. S.32 Amdt.<br>Sessional travel and living allowances: residence within capital | 4. S.35 Amdt.<br>Intersessional travel and living expenses: residence outside capital     |

- |  |   |
|--|---|
| 5. S.36 Amdt.<br>Intersessional travel and living expenses: residence within capital                   | 7. S.37.1 Added<br>Accommodations when traveling long distances |
| 6. S.37 Amdt.<br>Intersessional travel and living expenses: residence outside capital and constituency | 8. S.38 Amdt.<br>Intra-constituency travel allowance            |
|  | 9. S.40 Amdt.<br>Modes of travel                                |
|  | 10. S.41 Amdt.<br>Accommodation expenses                        |

SNL2007 cH-10.1  
Schedule  
as amended

**1. (1) Paragraph 31(1)(b) of the *Members' Resources and Allowances Rules* is repealed and the following substituted:**

- (b) for each day that the House of Assembly is in session,
  - (i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or
  - (ii) without receipts,
    - (A) a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or
    - (B) \$53 for each night the member actually occupies his or her secondary residence; and

**(2) Subsection 31(2) of the Rules is repealed.**

**2. Paragraph 32(2)(b) of the Rules is repealed and the following substituted:**

- (b) for a maximum of 3 nights during a trip,
  - (i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or
  - (ii) without receipts,
    - (A) a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or

- (B) \$53 for each night the member actually occupies his or her secondary residence; and

**3. Paragraph 33(b) of the Rules is repealed and the following substituted:**

- (b) for a maximum of 3 nights during a trip,
  - (i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or
  - (ii) without receipts,
    - (A) a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or
    - (B) \$53 for each night the member actually occupies his or her secondary residence; and

**4. Paragraph 35(b) of the Rules is repealed and the following substituted:**

- (b) for not more than 50 nights
  - (i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or
  - (ii) without receipts,
    - (A) a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or
    - (B) \$53 for each night the member actually occupies his or her secondary residence; and

**5. Paragraph 36(2)(b) of the Rules is repealed and the following substituted:**

- (b) for not more than 50 nights

- (i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or
- (ii) without receipts,
  - (A) a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or
  - (B) \$53 for each night the member actually occupies his or her secondary residence; and

**6. Paragraph 37(b) of the Rules is repealed and the following substituted:**

- (b) for not more than 50 nights
  - (i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or
  - (ii) without receipts,
    - (A) a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or
    - (B) \$53 for each night the member actually occupies his or her secondary residence; and

**7. The Rules are amended by adding the following immediately after section 37 the following:**

Accommodations  
when traveling long  
distances

**37.1** (1) Notwithstanding anything to the contrary in sections 31 to 37, where a member maintains

- (a) a permanent residence in his or her constituency that is outside the capital region;
- (b) a permanent residence within the capital region but represents a constituency outside the capital region; or

- (c) a permanent residence outside the capital region in a location that is not in his or her constituency and the constituency is outside the capital region,

and his or her permanent residence or constituency is in a district listed in subsection (2), that member may claim reimbursement for the costs associated with travel between his or her constituency or permanent residence and the capital region, as follows:

- (d) with receipts, the actual cost of temporary standard room accommodations for one night while in transit; or
- (e) without receipts, \$53 on the island portion of the province and \$71 in Labrador for one night while in transit when staying in private accommodations; and
- (f) without receipts, the prorated portion of the \$50 daily meal allowance, as contribution to the cost of meals while in transit.

(2) The districts to which subsection (1) applies are:

- (a) Baie Verte-Springdale;
- (b) Bay of Islands;
- (c) Bonavista North
- (d) Burgeo-La Poile;
- (e) Cartwright-L'anse au Clair;
- (f) Exploits;
- (g) Fortune Bay-Cape LaHune
- (h) Grand Bank;
- (i) Grand Falls-Winsor-Buchans;
- (j) Grand Falls-Windsor-Green Bay South;
- (k) Humber East;

- (l) Humber Valley;
- (m) Humber West;
- (n) Labrador West;
- (o) Lake Melville;
- (p) Lewisporte;
- (q) Port au Port;
- (r) St. Barbe;
- (s) St. George's-Stephenville East;
- (t) The Isles of Notre Dame;
- (u) The Straits-White Bay North; and
- (v) Torngat Mountains.

(3) Where a claim is made under subsection (1), the night for which an amount was claimed shall not be included in the number of nights of allowable accommodation permitted under this Part.

**8. (1) Paragraph 38(2)(a) of the Rules is amended by deleting the words and number "in accordance with section 40" and the comma immediately before the words and number.**

**(2) Paragraph 38(2)(b) of the Rules is repealed and the following substituted:**

- (b) within his or her constituency
  - (i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or
  - (ii) without receipts,

- (A) a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or
- (B) \$53 for each night the member actually occupies his or her secondary residence; and

**9. Section 40 of the Rules is amended by adding immediately after subsection (3) the following:**

(3.1) Notwithstanding subsection (2), where, on a regular basis, a member proposes to travel by means other than the means mentioned in subsection (1), the member may make a proposal to the commission respecting that travel and the commission may, by directive approve that travel upon those terms and conditions that the commission considers to be appropriate without further need for the member to make an application under subsection (2).

**10. Subsections 41(2), (3) and (4) of the Rules are repealed.**

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### PART II

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<b>House of Assembly Accountability, Integrity And Administration Act</b>			
Members' Resources And Allowances Rules (Amdt.)	NLR 11/10	Amends SNL 2007 cH-10.1 Sch. Ss. 31, 32, 33, 35, 36 & 37 Amdt. S. 37.1 Added. Ss. 38, 40 & 41 Amdt.	Mar. 5/10 p. 67



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