



# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART I

### PUBLISHED BY AUTHORITY

Vol. 86

ST. JOHN'S, FRIDAY, MAY 13, 2011

No. 19

#### CORPORATIONS ACT

##### NOTICE

IN THE MATTER OF the *Corporations Act*, RSNL 1990,  
cC-36 s. 337 (4) (b); (the "Act")

AND IN THE MATTER OF the Voluntary Dissolution of  
BROADWAY DISCOUNT DRUGS LIMITED

TAKE NOTICE that the Board of Directors of  
BROADWAY DISCOUNT DRUGS LIMITED (the  
"Corporation") have resolved to voluntarily dissolve  
BROADWAY DISCOUNT DRUGS LIMITED (the  
"Director's Resolution")

AND FUTHER TAKE NOTICE that the Registrar of  
Companies (NL) has issued a Certificate of Intent to  
Dissolve the said Corporation, on a voluntary basis, which  
Certificate is dated the 31<sup>st</sup> day of March, 2011.

AND FURTHER TAKE NOTICE that in accordance with  
the Act and the Director's Resolution of the Corporation,  
all the undertaking, property and assets of the Corporation  
remaining as of the date of such Certificate are in the  
process of being distributed in accordance with the  
Corporation's Articles of Incorporation.

Accordingly, all persons claiming to be creditors of or who  
have any claims or demands upon or affecting

BROADWAY DISCOUNT DRUGS LIMITED, and who  
have not been otherwise notified and satisfactorily dealt  
with in this transaction to date, are requested to send  
particulars of such claim or demand to the Law Firm of  
Poole Althouse (Attention: Cillian D. Sheahan) P.O. Box  
812, Corner Brook, NL A2H 6H7 on or prior to the 31<sup>st</sup>  
day of May, 2011.

DATED at Corner Brook, Newfoundland and Labrador,  
this 3<sup>rd</sup> day of May, 2011.

POOLE ALTHOUSE  
Solicitor for SD Property Limited  
PER: Cillian D. Sheahan

ADDRESS FOR SERVICE:  
49-51 Park Street  
Corner Brook, NL A2H 6H7  
Tel: (709) 634-3136  
Fax: (709) 634-8247

May 13

## MINERAL ACT

### NOTICE

Published in accordance with section 62 of CNLR 1143/96 under the *Mineral Act*, cM-12, RSNL 1990 as amended.

Mineral rights to the following mineral lands have reverted to the Crown:

Fee Simple Mining Grant	Newfoundland Railway Company, Volume 34, Folio 4
held by	Unknown
situate near	Whitbourne, Avalon Peninsula
on map sheet	1N/5

The lands covered by this notice except for the lands within Exempt Mineral Lands, the Exempt Mineral Lands being described in CNLR 1143/96 and NLR 71/98, 104/98, 97/200, 36/2001, 31/2004, 78/2006, 8/2008 and 28/2009 outlined on 1:50 000 scale maps maintained by the Department of Natural Resources, will be open for staking after the hour of 9:00 AM on the 32<sup>nd</sup> clear day after the date of this publication.

DEPARTMENT OF NATURAL RESOURCES  
JIM HINCHEY, P.Geo  
Manager - Mineral Rights

File # 772: 034

May 13

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### CORRECTION NOTICE

In *The Newfoundland and Labrador Gazette* of May 6<sup>th</sup>, 2011, Volume 86, Number 18, on page 157 there appeared a *Mineral Act* Notice regarding the cancellation of Mineral Licence 14521M.

This notice was published in error.

DEPARTMENT OF NATURAL RESOURCES  
JIM HINCHEY, P.Geo  
Manager - Mineral Rights

File # 774: 9258

May 13

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## URBAN AND RURAL PLANNING ACT, 2000

### NOTICE OF REGISTRATION ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 492, 2011

TAKE NOTICE that the ST. JOHN'S Development Regulations Amendment Number 492, 2011, adopted on the 26<sup>th</sup> day of April, 2011, has been registered by the Minister of Municipal Affairs.

In general terms, the purpose of Development Regulations Amendment Number 492, 2011 is to rezone property at Civic Number 146 New Cove Road from the Residential Medium Density (R2) Zone to the Apartment Medium Density (A2) Zone.

The amendment 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.

CITY OF ST. JOHN'S  
Cliff Johnson, MCIP, Director of Planning

May 13

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### NOTICE OF REGISTRATION TOWN OF PARADISE DEVELOPMENT REGULATIONS AMENDMENT No. 50 - 2011

TAKE NOTICE that the TOWN OF PARADISE Municipal Development Regulations Amendment No. 50 – 2011, adopted on the 5<sup>th</sup> day of April 2011, has been registered by the Minister of Municipal Affairs.

In general terms, this Development Regulations Amendment will amend Condition No. 4 of the Standard Conditions for all Use Zones, Schedule C. General Condition No. 4 will re-word the condition to allow for easier interpretation of this condition to address instances where access to the rear yard may be prevented by the construction of below grade stairwells in the minor side yard. The amendment will also limit the depth a deck, patio or landing may extend into the rear yard and/or side yard of a property.

The amendment comes into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone wishing to inspect a copy of Development Regulations Amendments No. 50 – 2011 may do so at the Paradise Town Hall, 28 McNamara Drive, during normal hours of operation.

TOWN OF PARADISE  
TerriLynn Smith, Town Clerk

P. O. # 26185

May 13

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## LANDS ACT

### NOTICE OF INTENT *Lands Act* c36, SNL 1991

NOTICE is hereby given that DONALD DARREN ROWSELL of Gander, formerly of Point Leamington, 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 Strong Island Sound in the Electoral District of Exploits for the purpose of access to wharfs and slipway at his cabin and being more particularly described as follows:

*Bounded on the North by Crown Land  
for a distance of 44 m;  
Bounded on the East by Strong Island Sound  
for a distance of 104 m;  
Bounded on the South by Strong Island Sound  
for a distance of 0 m;  
Bounded on the West by Crown Land  
for a distance of 39 m;  
and containing an area of  
approximately 1716 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, 230 Airport Boulevard, Fraser Mall, Gander, NL, A1V 2N9

c/o Western Regional Lands Office, P.O. Box 2006, 1 Riverside Drive, 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: DONALD D. ROWSELL at (709) 651-4750 or cell # (709) 422-2434.

May 13

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**NOTICE OF INTENT  
Lands Act c36, SNL 1991**

NOTICE is hereby given that MUNICIPAL COUNCIL of ENGLISH HARBOUR EAST, 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) of the said Act, to that piece of Crown Land situated within fifteen (15) metres of the waters of Beaver Pond in the Electoral District of Bellevue for the purpose of Playground and Firehall and being more particularly described as follows:

*Bounded on the North by 47°38'169"  
for a distance of 15 m;  
Bounded on the East by 54°53'620"  
for a distance of 60 m;  
Bounded on the South 47°38'143"  
for a distance of 15 m;  
Bounded on the West by 54°53'634"*

*for a distance of 60 m;  
and containing an area of  
approximately 900 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, 230 Airport Boulevard, Fraser Mall, Gander, NL, A1V 2N9

c/o Western Regional Lands Office, P.O. Box 2006, 1 Riverside Drive, 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: GLEN SIMPSON at (709) 245-2130.

May 13

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**QUIETING OF TITLES ACT**

**2010 01G 5796  
IN THE SUPREME COURT OF  
NEWFOUNDLAND AND LABRADOR  
TRIAL DIVISION (GENERAL)**

IN THE MATTER OF an Application of J & P CONTRACTING INC., a body corporate duly organized and existing under the laws of the Province of Newfoundland and Labrador,

AND

IN THE MATTER OF the *Quieting of Titles Act*, cQ-3, of the RSNL 1990, and amendments thereto

AND

IN THE MATTER OF a piece or parcel of land situate and being at the Town of Paradise, in the Province of Newfoundland and Labrador

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

NOTICE IS HEREBY GIVEN to all parties that J & P CONTRACTING INC. has applied to the Supreme Court of Newfoundland and Labrador, Trial Division, to have the title to ALL THAT pieces or parcels of land situate and being at Clearview Heights, in the Town of Paradise, in the Province of Newfoundland and Labrador and being more particularly described in the Schedule hereunto attached and marked "A" of which the said J & P CONTRACTING

INC. claims on their behalf to be the owner investigated and requests a declaration that the said J & P CONTRACTING INC. is the legal and beneficial owner in possession and the said Court having ordered that Notice of the said Application be published as required by the above named Act.

All persons having title adverse to the said title claimed by J & P CONTRACTING INC. shall file in the Registry of the Supreme Court of Newfoundland and Labrador particulars of such adverse claim and serve the same together with an Affidavit verifying the same on the undersigned Solicitors for the Applicant on or before the 3<sup>rd</sup> day of June, 2011, after which date no party having any claim shall be permitted to file the same or to be heard except by special leave of the Court and subject to such conditions as the Court may deem just.

All such adverse claims shall then be investigated in such manner as the said Supreme Court may direct.

DATED at St. John's, this 2<sup>nd</sup> day of May, 2011.

BENSON MYLES PLC INC.  
Solicitors for the Applicant  
PER: Janine I. Flaherty

ADDRESS FOR SERVICE  
Suite 900 Atlantic Place  
215 Water Street, P.O. Box 1538  
St. John's, NL A1C 5N8  
Tel: (709) 570-7275  
Fax: (709) 579-2647

May 13

**SCHEDULE "A"**

**DESCRIPTION OF PROPERTY**  
**PARCEL I**  
**TO BE ACQUIRED BY**  
**J & P CONTRACTING INC.**  
**CLEARVIEW HEIGHTS**

ALL THAT piece or parcel of land situate and being on the Southwest side of Clearview Heights, in the Town of Paradise, 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 5,265,539.536 m and E 314,299.482 m with reference to Monument No. 83G3213 Co-ordinates of N 5,265,186.551 m and E 314,484.738 m;

THENCE running by land of Joseph Farrell South sixty three degrees forty minutes zero seconds West nine decimal four eight two metres;

THENCE South seventy degrees forty five minutes forty seconds West twenty one decimal two seven zero metres;

THENCE turning and running by land of Joseph Farrell North twenty eight degrees nineteen minutes thirty seconds West seventeen decimal six eight one metres;

THENCE turning and running by land of Paul and Anne O'Keefe North sixty three degrees forty minutes zero seconds East thirty decimal four nine nine metres;

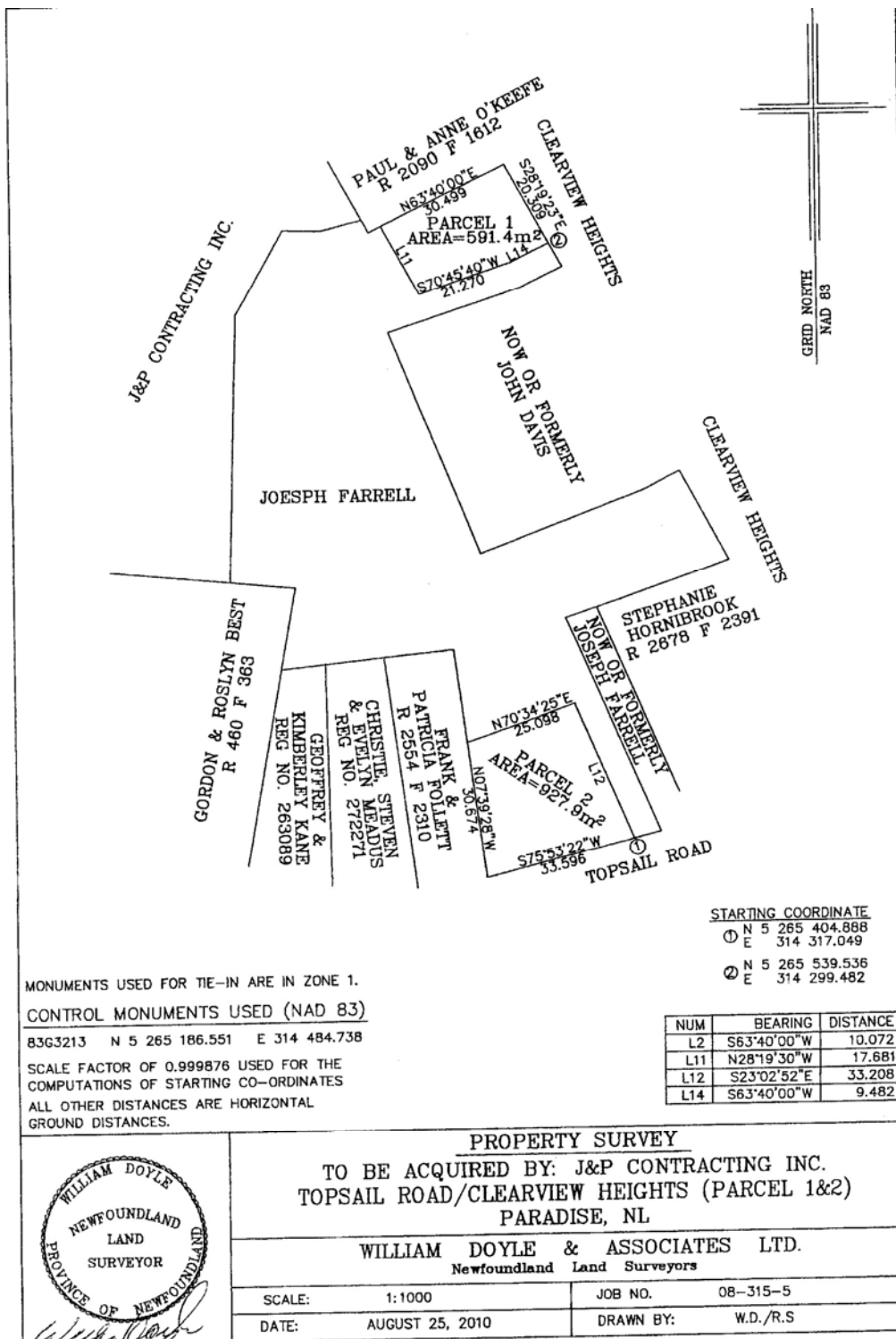
THENCE turning and running along the Southwestern Limits of Clearview Heights South twenty eight degrees nineteen minutes twenty three seconds East twenty decimal three zero nine metres more or less to the point of beginning and containing in all an area of 591.4 square metres as more particularly described on the plan hereto annexed.

ALL bearings are referred to Grid North

Job No. 08-315-5

Date: August 25<sup>th</sup>, 2010

PARCEL 1



DESCRIPTION OF PROPERTY  
**PARCEL 2**  
TO BE ACQUIRED BY  
J & P CONTRACTING INC.  
TOPSAIL ROAD

ALL THAT piece or parcel of land situate and being on the Northwest side of Topsail Road, in the Town of Paradise, 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 N5,265,404.888 m and E 314,317.049 m with reference to Monument No. 83G3213 Co-ordinates of N 5,265,186.551 m and E 314,484.738 m;

THENCE running along the Northwestern Limits of Topsail Road South seventy five degrees fifty three minutes twenty two seconds West thirty three decimal five nine six metres;

THENCE turning and running by land of Frank and Patricia Follett North zero seven degrees thirty nine minutes twenty eight seconds West thirty decimal six seven four metres;

THENCE turning and running by land of Joseph Farrell North seventy degrees thirty four minutes twenty five seconds East twenty five decimal zero nine eight metres;

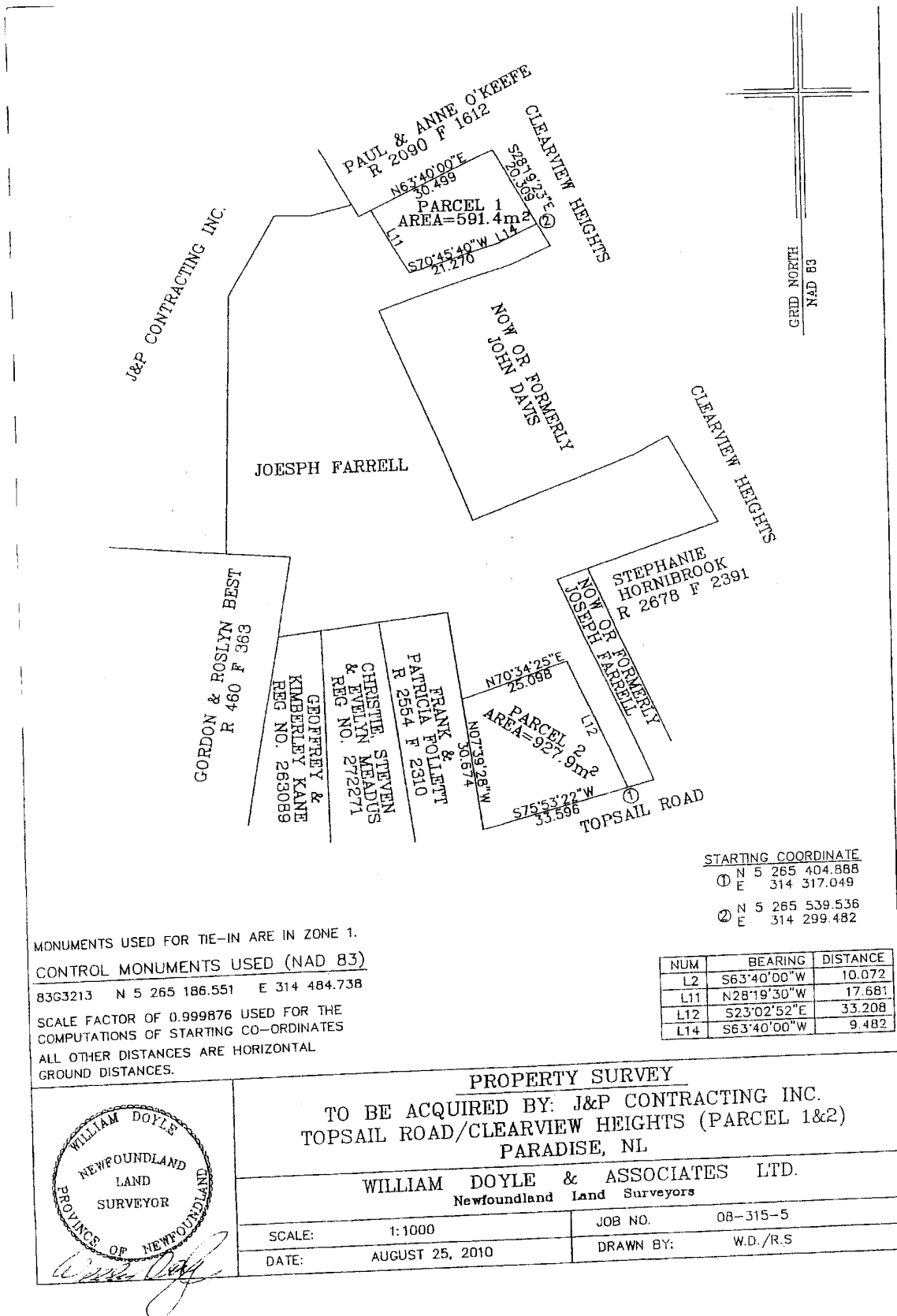
THENCE South twenty three degrees zero two minutes fifty two seconds East thirty three decimal two zero eight metres more or less to the point of beginning and containing in all an area of 927.9 square metres as more particularly described on the plan hereto annexed.

ALL bearings are referred to Grid North.

Job No. 08-315-5

Date: August 25<sup>th</sup>, 2010

PARCEL 2



DESCRIPTION  
PERIMETER SURVEY  
FARRELL PROPERTY  
TOPSAIL ROAD

ALL THAT piece or parcel of land situate and being on the North side of Topsail Road, in the Town of Paradise, 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 5,265,460.685 m and E 314,024.023 m with reference to Monument No. 83G3213 Co-ordinates of N 5,265,186.551 m and E 314,484.738 m;

THENCE running by land of Jason Farrell, Vincent and Patricia Burton and by land of Gerard and Angela Farrell North twenty one degrees fifteen minutes zero seconds East two hundred twenty two decimal three nine eight metres;

THENCE turning and running by land of Gerard and Angela Farrell, Neil Farrell and by land of Patrick Farrell North twenty nine degrees forty three minutes zero seconds West one hundred seventy one decimal five nine nine metres;

THENCE turning and running by land of Fairview Construction Ltd. and Stephen Vineham North sixty two degrees forty four minutes thirty seconds East one hundred sixteen decimal eight nine two metres;

THENCE turning and running along the Southwestern limits of Clearview Heights South twenty seven degrees twenty eight minutes zero two seconds West seventeen decimal three six seven metres;

THENCE turning and running by land of Perry McCarthy South sixty degrees thirteen minutes zero seconds East fifty six decimal six eight six metres;

THENCE South twenty six degrees twenty eight minutes sixteen seconds East thirty six decimal five seven six metres;

THENCE turning and running by land of Scott Hussey and by Gregory and Maxine Bartlett South thirty two degrees zero minutes seventeen seconds East thirty three decimal four three five metres;

THENCE turning and running by land of Yvonne (Rodgers) Krug South twenty six degrees zero two minutes fifty six seconds East forty five decimal seven two six metres;

THENCE North sixty three degrees fifty four minutes zero seconds East forty six decimal four seven six metres;

THENCE. turning and running along the Southwestern Limits of Clearview Heights South twenty four degrees twenty nine minutes fourteen seconds East nine decimal two nine nine metres;

THENCE turning and running by land of Gordon Tucker and Donna Hutchings South sixty two degrees twenty six minutes fifteen seconds West forty two decimal seven four one metres;

THENCE turning and running by land of Gordon Tucker & Donna Hutchings, Neil Walsh and by land of Carl and Jacqueline Sharpe South twenty three degrees thirty five minutes zero seconds East fifty eight decimal seven nine two metres;

THENCE turning and running by land of Wayne and Paula Fagan South twenty three degrees forty eight minutes thirty three seconds East twenty two decimal six nine zero metres;

THENCE turning and running by land of Marvin Welsh and Jennifer Farrell South twenty six degrees thirty six minutes fifty six seconds East nineteen decimal seven one seven metres;

THENCE turning and running by land of Mervyn and Jennifer Greenham South twenty six degrees thirty five minutes zero seconds East eighteen decimal one six one metres;

THENCE North sixty three degrees forty two minutes twenty seconds East nine decimal five five nine metres;

THENCE turning and running by land of Robert and Louise Noseworthy and by land of Jason and Alexandra Noseworthy South twenty nine degrees forty three minutes zero seconds East forty five decimal seven two zero metres;

THENCE turning and running by land of Jason and Alexandra Noseworthy North sixty four degrees zero six minutes thirty five seconds East thirteen decimal one nine three metres;

THENCE turning and running by land of Frank and Diane Norman South twenty eight degrees twenty minutes twenty two seconds East twenty four decimal four zero zero metres;

THENCE North sixty three degrees forty three minutes forty four seconds East three decimal zero five two metres;

THENCE turning and running by land of Paul and Anne O'Keefe South twenty eight degrees twenty minutes twenty two seconds East fifteen decimal one zero eight metres;

THENCE turning and running by land of Joseph Farrell South seventy five degrees fifty nine minutes eighteen seconds West nine decimal four eight five metres;

THENCE North eighty eight degrees zero minutes twenty six seconds West eight decimal two three zero metres;

THENCE South twenty eight degrees fifty minutes sixteen seconds West twenty two decimal zero one four metres;

THENCE South zero one degrees thirty eight minutes forty seven seconds West sixty decimal one two four metres;

THENCE turning and running by land of Gordon and Roslyn Best and by land of Terrence and Elizabeth Shute North eighty four degrees twenty four minutes twenty three seconds West sixty one decimal seven six six metres;

THENCE turning and running by land of Terrence and Elizabeth Shute South ten degrees zero eight minutes thirty six seconds West thirteen decimal six one nine metres;



THENCE turning and running by land of Richard Vokey and Crystal Miller and by land of Shawn Jacobs North seventy three degrees fifty nine minutes zero seconds West forty five decimal seven two four metres;

THENCE turning and running by land of Shawn Jacobs South eleven degrees zero two minutes zero seconds West forty five decimal seven five zero metres;

THENCE turning and running along the Northeastern Limits of Topsail Road North sixty eight degrees forty four minutes forty three seconds West twenty decimal four five four metres;

THENCE turning and running by land of Glenn and Darlene Cooney North twenty two degrees eleven minutes fifty seven seconds East forty four decimal zero seven one metres;

THENCE turning and running by land of Glenn & Darlene Cooney, Andrew and Lorraine Farrell and by land of Christopher and Michelle Crotty North sixty seven degrees

forty eight minutes zero three seconds West forty seven decimal five four two metres;

THENCE turning and running by land of Christopher and Michelle Crotty South twenty seven degrees forty four minutes eighteen seconds West forty four decimal two zero zero metres;

THENCE turning and running along the Northeastern Limits of Topsail Road North sixty five degrees fifty seven minutes fifty six seconds West twenty two decimal nine three eight metres more or less to the point of beginning and containing in all an area of 4.279 hectares as more particularly described on the plan hereto annexed.

RESERVING NEVERTHELESS a Right of Way for Gerard and Angela Farrell as shown on the attached plan.

ALL bearings are referred to Grid North.

Job No. 08-315-4

Date: August 20<sup>th</sup>, 2010





# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART II

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

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Vol. 86

ST. JOHN'S, FRIDAY, MAY 13, 2011

No. 19

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### NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 46/11  
NLR 47/11





## NEWFOUNDLAND AND LABRADOR REGULATION 46/11

*Insurance Prohibited Underwriting Regulations*  
under the  
*Insurance Companies Act*  
(O.C. 2011-126)

(Filed May 10, 2011)

Under the authority of section 107 of the *Insurance Companies Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, May 2, 2011.

Robert Thompson  
Clerk of the Executive Council

### REGULATIONS

#### *Analysis*

- |                             |                               |
|-----------------------------|-------------------------------|
| 1. Short title              | 4. Prohibited use of credit   |
| 2. Definitions              | information, risk classifica- |
| 3. Prohibited use of credit | tion system                   |
| information                 | 5. Minister's determination   |

Short title                      **1.** These regulations may be cited as the *Insurance Prohibited Underwriting Regulations*.

Definitions                    **2.** In these regulations

(a) "Act" means the *Insurance Companies Act*;

(b) "credit information" means information about a person's creditworthiness, and includes

(i) a person's credit score,

(ii) a person's credit based insurance score,

(iii) a person's credit rating,

(v) information about or derived in whole or in part from a person's

(A) occupation,

(B) previous places of residence,

(C) number of dependents,

(D) educational or professional qualifications,

(E) current or previous places of employment,

(F) estimated income,

(G) outstanding debt obligations,

(H) past debt payment history,

(I) cost of living obligations, or

(J) assets; and

(c) "personal insurance" means a contract of

(i) fire insurance,

(ii) property insurance, or

(iii) both fire insurance and property insurance,

the premiums for which would be reported as "Property-Personal" in the Provincial and Territorial Exhibit of Premiums Written in the Annual Return P&C-1 or P&C-2 or that

would be reported as "Property-Personal" in those exhibits where the insurance company is not required to use the Annual Return P&C-1 or P&C-2, but which is not considered to be a class of insurance for the purpose of the Act.

Prohibited use of credit information

**3.** For the purpose of section 95.2 of the Act, an insurer shall not use credit information to decline to issue, terminate or refuse to renew a contract of personal insurance or refuse to provide or continue coverage or an endorsement with respect to that contract.

Prohibited use of credit information, risk classification system

**4.** For the purpose of section 95.3 of the Act, an insurer shall not use credit information in its personal insurance risk classification system.

Minister's determination

**5.** Where a question arises as to whether a contract of fire insurance or a contract of property insurance is personal insurance, the minister may determine the question and that determination is final and effective for the purpose of this regulation.

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## NEWFOUNDLAND AND LABRADOR REGULATION 47/11

*Provincial Parks Regulations (Amendment)*  
under the  
*Provincial Parks Act*

*(Filed May 10, 2011)*

Under the authority of section 8 of the *Provincial Parks Act*, I  
make the following regulations.

Dated at St. John's, May 10, 2011.

Ross Wiseman  
Minister of Environment and Conservation

### REGULATIONS

#### *Analysis*

1. S.6.1 Amdt.  
Consumption of alcoholic  
liquor

NLR 91/97  
as amended

**1. Subsections 6.1(2) and (3) of the *Provincial Parks Regulations* are repealed and the following substituted:**

(2) A person shall not possess or consume alcoholic liquor within Barachois Pond Provincial Park from 12:00 noon on Friday, May 20, 2011 to 12:00 noon on Monday, May 23, 2011.

(3) A person shall not possess or consume alcoholic liquor within Notre Dame Provincial Park from 12:00 noon on Friday to 12:00 noon on the immediately following Monday during the period of May 20, 2011 to June 27, 2011.

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### PART II

#### CONTINUING INDEX OF SUBORDINATE LEGISLATION

<b>Title of Act and Subordinate Legislation made thereunder</b>	<b>CNLR or NL Reg.</b>	<b>Amendment</b>	<b>NL Gazette Date &amp; Page No.</b>
<b>Insurance Companies Act</b>			
Insurance Prohibited Underwriting Regulations	NLR 46/11	New	May 13/11 p. 221
<b>Provincial Parks Act</b>			
Provincial Parks Regulations (Amdt.)	NLR 47/11	NLR 91/97 S.6.1 (2) (3) R&S	May 13/11 p. 225

*The Newfoundland and Labrador Gazette* is published from the office of William E. Parsons, 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.

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