



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

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ST. JOHN'S, FRIDAY, JANUARY 25, 2013

No. 4

JUDICATURE ACT

RULE OF THE SUPREME COURT, 1986

COURT OF APPEAL PRACTICE NOTE

CAPN No. 2013 – 01

DATE ISSUED: January 23, 2013

RULES AFFECTED: Criminal Appeal Rules 11 and 13(1)(g); Civil Appeal Rules 57.03(5) and 57.14

EFFECTIVE DATE: February 1, 2013

The following Practice Note is issued and published pursuant to Rule 57.31(3) of the Rules of the Supreme Court, 1986 and Rule 27 of the *Supreme Court of Newfoundland and Labrador – Court of Appeal Criminal Appeal Rules (2002)*.

Note: This Practice Note applies to both the Civil Appeal Rules and the Criminal Appeal Rules.

USE OF TRANSCRIPTS ON APPEALS

Background and Purpose

1. In preparation for an appeal, appellant's counsel frequently requests the preparation of, and files with the Court, the entire transcript of the evidence taken at trial and in some cases includes the submissions of trial counsel and discussions between the trial judge and counsel.
2. Depending on the nature of the issues engaged on the appeal, reference to a full transcript of trial proceedings will often be unnecessary. The filing of unnecessary portions of the transcript increases cost, is a waste of resources and unduly delays the time necessary for the processing of the appeal.

Criminal Appeals

3. Rule 11(1) of the *Supreme Court of Newfoundland and Labrador – Court of Appeal Criminal Appeal Rules (2002)*, SI/2002-96 (the "Criminal Appeal Rules") provides that, subject to certain limited exceptions, the parties to an appeal "shall file only those portions of the transcript of the proceedings in the court appealed from that are necessary to enable the issues raised on appeal to be determined."
4. Rule 11(2) of the Criminal Appeal Rules requires an appellant, at the time of filing a notice of appeal, to file a request to the court reporter's office (Form D) requesting preparation of "those portions of the record in the proceedings that he or she believes are necessary to enable the issues on the appeal to be determined." The structure of Form D is intended to require appellant's counsel to address specifically what portions of the evidence may be necessary, given the type of appeal issues being raised. It is apparent that this is not always being done and, instead, a "blanket" request for a full transcript is often made.
5. Rule 11(3) of the Criminal Appeal Rules requires an appellant, within 15 days after filing the notice of appeal, to file in the registry a certificate of a court reporter certifying receipt of a request for a transcript. The purpose of this requirement is to confirm to the court that transcript production has been initiated, thereby reducing the possibility that, through inadvertence, the production of the trial record necessary for the appeal will be unnecessarily delayed. This requirement is rarely complied with in practice.
6. Rules 11(8) and (9) of the Criminal Appeal Rules permit a party at any time to apply, or the court on its own motion to order, the excision of unnecessary portions of a transcript or to amplify it, if the nature of the appeal requires it.
7. The approach of the Criminal Appeal Rules is to encourage parties to reduce unnecessary time and expense by focusing on what portions of the transcript of the evidence are really required for properly disposing of the appeal.
8. Rule 11(11) of the Criminal Appeal Rules recognizes that the court may impose sanctions on parties or their counsel where the court "concludes that all or any parties to an appeal have not made reasonable efforts to abridge the transcript of the proceedings so that only those portions as may be reasonably necessary to enable the issues on appeal to be determined are filed with the court."
9. The *Report of the Commission of Inquiry into the Cases of Ronald Dalton, Gregory Parsons and Randy Druken* (the "Lamer Inquiry") commented in 2006 that "the problem of delay in criminal appeals due to delay in the preparation of transcripts has plagued the criminal justice system of Newfoundland and Labrador for many years" (p. 63) and made a number of recommendations to address the problem, including the need to encourage appellate counsel to limit transcription of the evidence to "selected, relevant portions" (pp.65-66; 327)

Civil Appeals

10. Although Rule 57.14(3)(b)(iv) of the *Rules of the Supreme Court, 1986* (the "Civil Appeal Rules") provides that an appeal book should include a "printed transcript of the evidence at the trial", the Civil Appeal Rules also provide, in Rule 57.14(5), that the parties to an appeal may agree to "omit all or a part of the transcript of the evidence ... with the object of avoiding undue expense or delay in reproduction of material not necessary for the appeal." In the absence of agreement, one party may apply to the Court for directions under Rule 57.14(6). Attempts to abridge the transcript in civil cases are the exception rather than the rule.
11. Civil Appeal Rule 57.14(2) also provide that, without seeking agreement of the other party, an appellant may give notice that, instead of filing an appeal book under the Civil Appeal Rules, he or she will file "a printed case in the form required by the Rules of the Supreme Court of Canada." If engaged, this effectively incorporates by reference sections 38 and 39 of the *Rules of the Supreme Court of Canada* (the "SCC Rules") which require the record to "contain only

the documents that are necessary to raise the question for the Court, placing an obligation on each party to ensure that only those portions of the transcript as are relevant to the case they wish to present are put on the record. Each party is also required to certify that the record as presented by him or her contains “only so much of the ... evidence ... as is necessary to raise the question for the decision of the Court.” (Forms 38 and 39). This provision is rarely used.

12. Rule 57.03(5) of the Civil Appeal Rules provides that when filing a notice of appeal, the appellant shall also file either (i) a letter undertaking to request within 10 days the immediate preparation of a transcript of the proceeding under appeal; or (ii) a letter undertaking to apply within 10 days for an order of the court dispensing with the filing of “all or any part of a transcript of the proceeding under appeal”. This requirement reinforces the requirement under the rules that parties to an appeal are expected to address, in an effort to save time and expense, whether all of the transcript of the matter being appealed is required in the particular circumstances of the case. Rarely is an application made to abridge an appeal book made.
13. Rule 57.14 (6) provides that where the parties, or any of them, do not make “reasonable efforts to abridge or limit the appeal book” and it becomes apparent that such should have been done, “the offending party may be penalized in costs.”

Need for Change in Practice

14. The Court is concerned that counsel are not fully taking advantage of the existing provisions in the rules to ensure that portions of the transcript that are not necessary for the determination of the issues on the appeal do not form part of the record. While the Court is undertaking an examination of the rules with a view to their amendment to reduce delay and expense generally, in the meantime the Court wishes to encourage counsel to be proactive in working within the framework of the existing rules to promote the efficient processing of appeals. It is therefore considered appropriate to issue this Practice Note to remind counsel of their obligations and to provide a framework for action.

Practice Note

15. Appellate counsel are expected to review and familiarize themselves with the rules of court respecting use of transcripts on appeals and to promote their underlying purpose.
16. In every case, counsel will be expected to: (a) address the question of whether the whole of the transcript of proceedings in the court(s) below is reasonably necessary for the determination of the issues on appeal; (b) actively explore with counsel for other parties whether agreement can be reached on abridgment of the transcript for the purpose of the appeal; (c) apply to the Court for directions on abridgment of the transcript if agreement with counsel cannot be reached or the proposed use of the transcript is unclear or otherwise problematic.
17. In appropriate civil appeals, counsel may also wish to consider invoking the procedure in the SCC Rules whereby each party has responsibility for putting before the Court those portions of the transcript they respectively think are needed for the purpose of the appeal.
18. In addition to the filing of Form D under the Criminal Appeal Rules and the letter contemplated by Rule 57.03(5) of the Civil Appeal Rules, counsel will henceforth be required, when filing a notice of appeal to include, either as a separate certificate or an adjunct to the existing form or letter, a certificate in the form attached as Schedule A to this Practice Note.
19. Where counsel is of the view that a full transcript of the proceedings below is necessary, they are required to state in the certificate the reasons why the whole of the transcript is required to be transcribed. A general statement that counsel is of the opinion that a full transcript is required will not be accepted. Examples of reasons for requiring the full transcript to be made available might include:
 - (a) appellate counsel was not the trial counsel and the issues on appeal will involve factual findings by the trial judge that engage all of the evidence;
 - (b) the appeal will involve a ground invoking s. 686(1)(a) of the *Criminal Code*;
20. Registry staff are instructed to inquire of counsel, when attempting to file a notice of appeal, whether they have addressed the considerations in this Practice Note and to refuse to accept a notice of appeal for filing unless the certificate in the form in Schedule A, properly completed, is submitted.
21. In a criminal appeal, where an appellant indicates that only a portion of the transcript is necessary for the disposition of an appeal but counsel for the respondent is of the view that the whole of the transcript is required (as, for example, where a Crown respondent intends to submit that the curative proviso in s. 686(1)(b)(iii) of the *Criminal Code* should

- be applied), the respondent may have the remainder of the transcript, or such additional portions as may be relevant to that issue, prepared and filed.
22. Even if it is felt that a complete transcript of the trial must be reviewed by appellate counsel (as, for example, where counsel on the appeal is not the same person as trial counsel), it may still not be necessary to reproduce multiple copies of it or to file all of it in the court as part of the appeal record. Counsel should nevertheless address what portions of the prepared transcript are unnecessary to be filed as part of the appeal record.
 23. Where, subsequent to filing those portions of the transcript that are regarded as necessary for the disposition of the appeal, counsel is of the opinion that, considering the way in which the submissions on the appeal are subsequently developing, further portions of the transcript are necessary for a proper disposition of the appeal, such additional portions may be filed without further order.
 24. Counsel are reminded that in criminal appeals they must comply with Rule 11(3) of the Criminal Appeal Rules respecting the receipt by the court reporter's office of a request for preparation of a transcript. Counsel are also expected to follow the same procedure in civil appeals by obtaining a receipt from any private transcriber who might be engaged.
 25. Counsel are reminded that the Court will, in appropriate cases, invoke the sanctions contemplated by Rule 11(11) of the Criminal Appeal Rules and Rule 57.14(6) of the Civil Appeal Rules.
 26. Where at any time it appears to the Court or a judge that delays in the preparation of a transcript or delays for any other reason are unexplained, the Registrar may set down a status hearing or the Chief Justice may order a pre-hearing conference under Rule 22 of the Criminal Appeal Rules or Rule 57.22 of the Civil Appeal Rules.
 27. Practice Notes CAPN 2006-01 and CAPN 2011-01 shall be read in conformity with this Practice Note.

Authorized by:

J. DEREK GREEN
Chief Justice of the Supreme Court
of Newfoundland and Labrador, Court of Appeal

DEBBIE BRENNAN
Deputy Registrar of the Supreme Court

Schedule A

CERTIFICATE

I, [name], counsel for the appellant(s), hereby certify that

- (a) I have considered the judgment appealed from, the issues on appeal as stated in the notice of appeal and whether it is necessary to reproduce and file as part of the record on this appeal the whole of the transcript of the proceedings in the court(s) appealed from in accordance with Practice Note CAPN 2013-01;
- (b) The portions of the record in the court appealed from that I have requested to be transcribed are the only portions that, in my opinion, are necessary to enable the issues on appeal to be determined; OR
- (c) The whole of the transcript of the proceedings in the court appealed from is necessary for the proper disposition of this appeal because:

_____ [state reasons] _____

Dated at _____, this _____ day of _____ 20__.

Counsel for the Appellant

Jan 25

CORPORATIONS ACT

NOTICE

Corporations Act - Section 393

Local Incorporations

For the Month of: November 2012

Date	Number	Company Name			
2012-11-01	68723	A&D CONSULTING SERVICES INC.	2012-11-13	68784	CDW ELECTRICAL INC.
			2012-11-13	68789	COATES ENTERPRISES INC.
2012-11-01	68726	AVIDD INVESTMENTS INC.	2012-11-13	68785	IRON PILLAR INDUSTRIES LTD.
2012-11-01	68725	GRAND BANKS WAREHOUSING INC.	2012-11-13	68798	PARKSIDE DEVELOPMENTS INCORPORATED
2012-11-01	68727	HADRON HOMES LTD.	2012-11-13	68791	R.A. CONTRACTING INC.
2012-11-01	68724	NORTH HARBOUR FISHERIES COMMITTEE INC.	2012-11-13	68782	Dr. A. Qureshi Physician PMC Inc.
			2012-11-13	68783	JNJ Account Ability Inc.
2012-11-01	68720	Gene's Auto Body Ltd.	2012-11-14	68802	DROVER RESTAURANTS INCORPORATED
2012-11-01	68721	CJ Properties Incorporated	2012-11-14	68800	R & K CONVENIENCE LIMITED
2012-11-01	68722	Taylor's Catering Limited	2012-11-14	68801	SEVCO HOLDINGS LIMITED
2012-11-02	68740	68740 NEWFOUNDLAND AND LABRADOR INC.	2012-11-14	68786	United Foods Inc.
			2012-11-14	68795	MEKS Salon Inc.
2012-11-02	68734	AIR-TITE HOME INSPECTIONS INC.	2012-11-14	68796	Gough Appliance Repair & Parts Ltd.
			2012-11-14	68797	Murphy Realty Limited
2012-11-02	68733	AQUARIUM 101 LTD.	2012-11-15	68814	BRYANT'S COVE IMPROVEMENT COMMITTEE INC.
2012-11-02	68737	D Z R P T K CONSULTANTS INC.	2012-11-15	68818	LEGEND CITY WRESTLING INC.
2012-11-02	68735	KENCON ENTERPRISES INC.	2012-11-15	68816	STONEVILLE BUILD & PLAY COMMITTEE INC.
2012-11-02	68730	Bonaventure Construction Limited	2012-11-15	68813	TERRA NOVA ART FOUNDATION INC.
2012-11-02	68731	MAC Mechanical O & M Inc.	2012-11-16	68824	CREDIT INFORMATION SERVICES (NFLD) 2012 LIMITED
2012-11-05	68743	ATLANTIC JOBS NL INC	2012-11-16	68826	FISHERMANS COMMITTEE OF MING'S BIGHT INC.
2012-11-05	68746	JPS HOLDINGS LIMITED	2012-11-16	68821	PORT ELECTRIC SOLUTIONS INC.
2012-11-05	68742	RECEIPT TECHNOLOGIES INC.	2012-11-16	68822	ROCKY RIVER HOLDINGS LTD.
2012-11-05	68750	WINTERLAND REGIONAL PASTURE CORPORATION	2012-11-16	68817	Black Ash Holdings Limited
			2012-11-16	68820	Swan Safety Services Ltd
2012-11-05	68747	WOODWORTH ENTERPRISES LTD.	2012-11-19	68830	DR JODI SPIEGEL, PSYCHOLOGIST INC
			2012-11-19	68831	DR. ANAS ABDULKHALIQ PROFESSIONAL MEDICAL CORPORATION
2012-11-05	68736	PT Sports Limited	2012-11-19	68835	DR. P. REDMOND AND DR. A. KEEFE PROFESSIONAL DENTAL CORPORATION
2012-11-06	68754	68754 NEWFOUNDLAND AND LABRADOR LIMITED	2012-11-19	68834	PRAK HOLDINGS LIMITED
2012-11-06	68758	68758 NEWFOUNDLAND AND LABRADOR INC.	2012-11-19	68836	QUINLAN INVESTMENTS LIMITED
2012-11-06	68755	TRADES N WOMEN INC.	2012-11-19	68827	Awesome View Properties Inc.
2012-11-06	68757	ZRCH DUCKWORTH STREET INC.	2012-11-19	68828	Route 70 Enterprise Inc.
2012-11-06	68741	NL Precision Tae kwon Do Ltd.	2012-11-20	68840	68840 NEWFOUNDLAND & LABRADOR INC.
2012-11-06	68752	68752 NEWFOUNDLAND AND LABRADOR LIMITED	2012-11-20	68841	68841 NEWFOUNDLAND AND LABRADOR LTD.
2012-11-07	68767	BRAXTON VENTURES LIMITED	2012-11-20	68839	CATHERINE'S DANCE STUDIO INCORPORATED
2012-11-07	68764	DR. P. G. WOOLFREY PROFESSIONAL CHIROPRACTIC CORPORATION	2012-11-20	68838	OKARD COMPANY LIMITED
2012-11-07	68768	GOC INVESTMENTS LTD.	2012-11-20	68829	Estero Enterprises Ltd.
2012-11-07	68765	MOORE'S AMBULANCE (2012) LIMITED	2012-11-21	68849	COMFORT & CLASS INC.
2012-11-07	68761	Acadia Business Services Inc.	2012-11-21	68850	ENCANEX OFFSHORE INTERNATIONAL INC.
2012-11-08	68774	C.F.D. ELECTRICAL LTD.	2012-11-21	68855	G B DALTON ENTERPRISE LTD.
2012-11-08	68772	CROWS NEST HEALTH, SAFETY & SUNDRY SERVICES INC.	2012-11-21	68842	MNG Holdings Inc.
			2012-11-21	68843	JJM Holdings Inc.
2012-11-08	68773	TACK MARKETING INC.	2012-11-21	68844	Deluxe Holdings Inc.
2012-11-08	68770	ACT - Atlantic Community Theatre, Inc.	2012-11-21	68845	Canadian Accounting Associates Inc.
			2012-11-21	68846	Industry Training Consulting Services Ltd.
2012-11-09	68777	68777 NEWFOUNDLAND AND LABRADOR LIMITED	2012-11-21	68847	Shrine Club of Clarenville Inc.
2012-11-09	68778	68778 NEWFOUNDLAND AND LABRADOR LIMITED	2012-11-22	68857	BURT CLEANING SERVICES INC.
			2012-11-22	68868	DR. YORDAN KARAIVANOV P.M.C. INC.
2012-11-09	68779	STAPLETON HOLDINGS LIMITED	2012-11-22	68859	POMROY CONSULTING INC.
2012-11-09	68771	68771 NEWFOUNDLAND & LABRADOR INC	2012-11-22	68860	R U A SPORTS FANATIC NL LTD.
			2012-11-22	68848	Scape Labs Inc.
2012-11-09	68776	Shenstone Consulting Services Inc.	2012-11-22	68854	Richard's Painting Plus (2012) Inc.

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2012-11-23	68879	ALL-IN HOLDINGS INC.	<i>Corporations Act - Section 331</i>
2012-11-23	68876	GOULD BROTHERS RENTALS INC.	Local Revivals
			For the Month of: November 2012
2012-11-23	68877	J AND B ENGINEERING (LABRADOR) INC.	Date Number Company Name
2012-11-23	68861	68861 NEWFOUNDLAND AND LABRADOR INC.	2012-11-19 13613 ETHEL PERRIN REST HOME LIMITED
2012-11-23	68866	68866 NEWFOUNDLAND & LABRADOR INC.	2012-11-22 2023 THE BAY OF ISLANDS ROD AND GUN CLUB
2012-11-23	68867	68867 NEWFOUNDLAND & LABRADOR INC.	2012-11-26 8326 Bursley's Refrigeration Limited
2012-11-23	68869	Herber Snowclearing Limited	Total Revivals: 3
2012-11-23	68870	Legros & Motti Restaurant Inc.	
2012-11-26	68884	BIG ROCK PRODUCTIONS INC.	
2012-11-26	68889	CARDOULIS CATERING SERVICES INC.	<i>Corporations Act - Section 296 and 393</i>
			Local Continuances
2012-11-26	68885	FRESHWATER A.T.V. TRAIL ASSOCIATION INC.	For the Month of: November 2012
2012-11-26	68890	NL COALITION AGAINST HUMAN TRAFFICKING INC.	Date Number Company Name
2012-11-26	68871	Dave Patey Denture Centre Inc.	2012-11-30 68918 PINSENT PROCESS CONSULTING INC.
2012-11-26	68872	Forensic Home Inspections Inc.	
2012-11-26	68873	Ian Stokes Investments Limited	Total Continuances: 1
2012-11-26	68874	BKJ Investments Limited	
2012-11-27	68902	68902 NEWFOUNDLAND AND LABRADOR LIMITED	
2012-11-27	68903	68903 NEWFOUNDLAND AND LABRADOR LIMITED	<i>Corporations Act - Section 286</i>
			Local Amendments
			For the Month of: November 2012
2012-11-27	68895	FAR EAST MINERALS LIMITED	Date Number Company Name
2012-11-27	68904	JACOBS HOLDINGS LIMITED	2012-11-01 68532 Berg Grocery Inc.
2012-11-27	68897	KIELLY'S COVE BOATSHED AND WHARF COMMITTEE INC.	2012-11-01 56924 FIVE STAR LIGHTING LTD.
2012-11-27	68882	New Found Hope Counseling Centre, Inc.	2012-11-01 54399 LEAGUE OF ARTISTS OF WESTERN NFD., INC.
2012-11-27	68883	First Response Supply Inc	2012-11-01 68533 MUSQUARO SLASHING LTD.
2012-11-27	68892	SHESHATSHIU INNU CONSTRUCTION LIMITED	2012-11-05 66583 BAC LOCAL 1 HOLDINGS LTD.
2012-11-27	68893	Scout Inspection Services Ltd.	2012-11-05 44582 Breton Solutions Inc
2012-11-27	68894	68894 NEWFOUNDLAND AND LABRADOR INC.	2012-11-05 52863 LEVERT PERSONNEL RESOURCES (EASTERN) INC.
2012-11-28	68907	BEACON HOLDINGS LTD	2012-11-05 57579 MASONIC ASSURANCE SOCIETY OF NEWFOUNDLAND INC.
2012-11-28	68906	CROWLEY INDUSTRIAL SERVICES LTD	2012-11-06 52866 HP CONSULTING LIMITED
2012-11-28	68909	DEEP VALLEY OUTFITTERS LTD.	2012-11-06 64088 YETMAN'S CLEANERS LTD.
2012-11-28	68905	MARGAREE ENTERPRISES INC.	2012-11-07 56609 Lighthouse Contracting Limited
2012-11-28	68908	MOM'S TAKE OUT INC	2012-11-08 21782 Fortis Inc.
2012-11-28	68910	SALTWATER WOODWORKS INC.	2012-11-09 63972 63972 NEWFOUNDLAND AND LABRADOR LIMITED
2012-11-28	68900	3PG Industrial Ltd.	
2012-11-28	68901	Gill Investments Limited	2012-11-09 46153 ERCO HOMES INC.
2012-11-29	68911	ADVANTAGE HEATING LTD.	2012-11-09 55232 NEWSCOT PROPERTIES INC.
2012-11-29	68915	ISLAND WORKPLACE SUPPLY INC.	2012-11-13 67499 CONCEPTION BAY HOMES INC.
2012-11-29	68912	TWILIGHT FISHERIES LTD.	2012-11-13 67855 NL Residential Appraisal Ltd.
2012-11-30	68920	68920 NEWFOUNDLAND AND LABRADOR LIMITED	2012-11-13 53607 SMITH REALTY LIMITED
2012-11-30	68922	68922 NEWFOUNDLAND AND LABRADOR LTD.	2012-11-13 68755 TRADES N WOMEN INC.
2012-11-30	68924	FELIX COVE FISHERMEN'S COMMITTEE INC.	2012-11-14 64104 Connadh Enterprises Inc.
2012-11-30	68916	68916 NEWFOUNDLAND & LABRADOR INC.	2012-11-14 64144 INDIGENA ENTERPRISES INC.
2012-11-30	68917	68917 NEWFOUNDLAND AND LABRADOR INC.	2012-11-14 55491 MEDIA CONNECTIONS FILM INC.
			2012-11-14 49540 PIER 7 HOSPITALITY GROUP INC
			2012-11-14 2583 THE JOHN HOWARD SOCIETY OF NEWFOUNDLAND AND LABRADOR INC.
			2012-11-15 23657 ATLANTIC FLYING CLUB LIMITED
			2012-11-15 58414 CHAMPNEY'S WEST HERITAGE GROUP INC.
			2012-11-15 8489 Dave Tucker Auto Sales Limited
Total Incorporations: 134			

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2012-11-15	16058	Synchro Newfoundland and Labrador Inc. Association, Inc. – L'Association Canadienne de Nage Synchronisee Inc.	2012-11-20	23666	KELLY'S ESTATE LIMITED
			2012-11-21	35422	Atlantic Sea Enterprises Inc.
			2012-11-21	59702	G AND G DISTRIBUTING INC.
2012-11-19	66131	66131 NEWFOUNDLAND & LABRADOR INC.	2012-11-21	63632	INDEPENDENT LIVING ADULT DAY CENTRE INC.
2012-11-19	49035	Community Action Group for Adults with Developmental Disabilities Incorporated	2012-11-21	61921	LLD CUSTOMIZED IT SOLUTIONS INC.
		Rental Hutch Inc.	2012-11-22	53828	HOUSE FX CONSTRUCTION LTD.
2012-11-19	67176	Rock Construction Company Limited	2012-11-22	62748	Katatech Worldwide Ltd.
2012-11-19	7406	66373 NEWFOUNDLAND AND LABRADOR LIMITED	2012-11-26	29108	CARPENTRY PLUS CONSTRUCTION LIMITED
2012-11-20	66373	JANITORIAL MAINTENANCE INC	2012-11-27	51406	MDG Enterprises Ltd
		Vodun Automation Services Ltd.	2012-11-27	36023	QUALITY INTERNATIONAL INC.
2012-11-20	64607	Deluxe Dry Cleaners Limited	2012-11-30	50535	50535 NEWFOUNDLAND AND LABRADOR LIMITED
2012-11-21	67441	T H HILL CANADA INC.			
2012-11-22	49462	WESTROCK COMMUNITY CENTRE INC.	2012-11-30	45947	Buccaneer One Inc.
2012-11-22	50788	GRAND RIVER FAMILY RESOURCE CENTRE INC.	2012-11-30	48086	Notch Mountain Holdings Inc.
2012-11-22	44176	DR. JAMES COFFEY PROFESSIONAL MEDICAL CORPORATION	2012-11-30	8708	R. J. KING COMPANY LIMITED
2012-11-26	62569	Kelry Holdings Ltd.			
2012-11-27	59894	MDG Enterprises Ltd	Total Dissolutions: 30		
		NL CLASSIFIEDS INC.	<hr/>		
2012-11-27	46637	Party Time Limited	<i>Corporations Act - Section 299</i>		
2012-11-27	51406	U SAVE REALTY INC	Local Discontinuances		
2012-11-27	49855	Mummers Festival Incorporated	For the Month of: November 2012		
2012-11-27	16098	Summit Plumbing and Heating Limited	Date	Number	Company Name
2012-11-27	54543	The Johnson Corporation	2012-11-07	57091	DR. ANTHONY POON PROFESSIONAL DENTAL CORPORATION
2012-11-28	66273	TRIPLE J PRECISION CARPENTRY LTD.	2012-11-27	68334	VETALON HOLDINGS LTD.
2012-11-28	65803	ECO CONTRACTING LIMITED	Total Discontinuances: 2		
2012-11-28	15142	IAN STOKES PROPERTIES LTD.	<hr/>		
2012-11-28	62200	Stephenville Business Camp Inc.	<i>Corporations Act - Section 294</i>		
2012-11-29	60606		Local Amalgamations		
2012-11-29	47108		For the Month of: November 2012		
2012-11-29	41714		Date	Number	Company Name
			2012-11-01	68729	COMMONWEALTH PROPERTY MANAGEMENT LTD.
			From:	25590	COMMONWEALTH PROPERTY MANAGEMENT LTD.
				37513	MOUNT PEARL REHABILITATION CENTRE INC.
				30802	Physical Therapy Supplies Ltd.
			2012-11-01	68728	SOUTH COAST CONSTRUCTION INCORPORATED
			From:	59038	59038 NEWFOUNDLAND AND LABRADOR LTD.
				30641	South Coast Construction Incorporated
			2012-11-22	68863	STARLING'S HOLDINGS INC.
			From:	58914	SESGWE'G SALES & INVESTING INC.
				65125	Starling's Holdings Inc.
			2012-11-26	68891	GRACE HOTEL LTD.
			From:	39579	Grace Hotel Ltd.
				52764	North Coast Hospitality Ltd.
			Total Amalgamations: 4		
			<hr/>		
Total Amendments: 52					
<hr/>					
<i>Corporations Act - Section 335</i>					
Local Dissolutions					
For the Month of: November 2012					
Date	Number	Company Name			
2012-11-02	67557	A "RIGHT HANDY" MAN INC.			
2012-11-02	59293	JESSO HOLDINGS INC.			
2012-11-05	52977	Bowring Park Vista Corporation			
2012-11-07	20448	Arctic Drift Limited	From:	59038	59038 NEWFOUNDLAND AND LABRADOR LTD.
2012-11-08	35386	ALL MATERIAL PRODUCTS INC.			
2012-11-08	10554	Green Bay News Limited			
2012-11-08	46800	Roundhouse Entertainment Inc.			
2012-11-09	53542	NEW WORLD ISLAND WASTE DISPOSAL INC.	2012-11-22	68863	STARLING'S HOLDINGS INC.
2012-11-13	57579	MASONIC ASSURANCESOCIETY OF NEWFOUNDLAND INC.	From:	58914	SESGWE'G SALES & INVESTING INC.
2012-11-13	60783	Payne's Bakery Ltd.			
2012-11-14	57236	CRAIG'S CONTRACTING INC.			
2012-11-15	61011	HURLEY'S CONSTRUCTION LTD.	2012-11-26	68891	GRACE HOTEL LTD.
2012-11-15	68655	J & A Business Service Inc.	From:	39579	Grace Hotel Ltd.
2012-11-15	45349	PERHAM'S ELECTRICAL LTD.			
2012-11-16	62379	MASTER BUILDERS CONTRACTING INC.			
2012-11-16	61564	NUNATSIAVUT ENVIRONMENT, SAFETY & SECURITY CORPORATION			

THE NEWFOUNDLAND AND LABRADOR GAZETTE
January 25, 2013

62752		EARTHLINK BUSINESS, LLC	2012-11-22	68856	MANULIFE SECURITIES
2012-11-09	From:	NEW EDGE NETWORK, INC.			INVESTMENT SERVICES INC.
68117		HCL AXON TECHNOLOGIES INC.			PLACEMENTS MANUVIE
		TECHNOLOGIES HCL AXON INC.			SERVICES
2012-11-14	From:	AXON SOLUTIONS (CANADA) INC.	From:	58526	D'INVESTISSEMENT INC.
57420		SUNRISE TRAVEL SERVICES, ULC			MANULIFE SECURITIES
2012-11-14	From:	YTB TRAVEL NETWORK OF			INVESTMENT SERVICES INC./
		CANADA, ULC			PLACEMENTS MANUVIE
					SERVICES
					D'INVESTISSEMENT INC.
61923		GOODMAN INVESTMENT	2012-11-23	68878	GLAXOSMITHKLINE INC.
		COUNSEL INC.	From:	3669D	GLAXOSMITHKLINE INC.
2012-11-15	From:	NED GOODMAN INVESTMENT			
		COUNSEL LIMITED	2012-11-23	68881	KONICA MINOLTA
61436		KRUGER PRODUCTS REAL			BUSINESS SOLUTIONS
		ESTATE HOLDINGS INC.			(CANADA) LTD./SOLUTIONS
		PRODUITS KRUGER GESTION			D'AFFAIRES KONICA MINOLTA
		IMMOBILIÈRE INC.			(CANADA) LTEE
2012-11-15	From:	KRUGER PRODUCTS G.P. INC.	From:	6789F	KONICA MINOLTA BUSINESS
		PRODUITS KRUGER G.P. INC.			SOLUTIONS (CANADA)
					LTD./SOLUTIONS
68180		PARTY CITY CANADA INC.			D'AFFAIRES KONICA MINOLTA
2012-11-26	From:	PARTY PACKAGERS INC.			(CANADA) LTEE
68923		RCS CONSTRUCTION	2012-11-26	68886	THOMAS COOK CANADA INC.
		INCORPORATED	From:	64327	THOMAS COOK CANADA INC.
2012-11-30	From:	RCS RETAIL CONSTRUCTION			
		SPECIALISTS INCORPORATED	2012-11-27	68898	ENERGIZER CANADA INC.
			From:	59905	ENERGIZER CANADA INC.
Total Name Changes: 8					

Corporations Act - Section 294
Extra-Provincial Registrations for Amalgamation
For the Month of: November 2012

2012-11-30	68923	RCS CONSTRUCTION
		INCORPORATED
From:	59422	RCS RETAIL CONSTRUCTION
		SPECIALISTS INCORPORATED

Total Registrations for Amalgamation: 13

Date	Number	Company Name
2012-11-05	68753	JIM PATTISON INDUSTRIES LTD.
From:	2735F	JIM PATTISON INDUSTRIES LTD.
2012-11-06	68760	GMCR CANADA HOLDING
		INC./HOLDING GMCR
		CANADA INC.
From:	64151	GMCR CANADA HOLDING
		INC./HOLDING GMCR
		CANADA INC.
	62015	TIMOTHY'S COFFEES OF
		THE WORLD INC.
2012-11-06	68756	SUMMIT TUBULARS
		CORPORATION
From:	2362F	SUMMIT TUBULARS
		CORPORATION
2012-11-07	68766	REICHMANN SENIORS
		HOUSING DEVELOPMENT CORP.
From:	56329	REICHMANN SENIORS
		HOUSING DEVELOPMENT CORP.
2012-11-13	68790	GALILEO GLOBAL EQUITY
		ADVISORS INC.
From:	66290	GALILEO GLOBAL EQUITY
		ADVISORS INC.
2012-11-19	68837	ALCATEL-LUCENT CANADA INC.
From:	59843	ALCATEL-LUCENT CANADA INC.
2012-11-19	68833	BMO NESBITT BURNS INC.
From:	2667D	BMO NESBITT BURNS INC.

SERVICE NL
Dean Doyle, Registrar of Companies

Jan 25

URBAN AND RURAL PLANNING ACT, 2000

**NOTICE OF REGISTRATION
CITY OF MOUNT PEARL
CITY PLAN 2010
AMENDMENT NO.4, 2012
MOUNT PEARL DEVELOPMENT
REGULATIONS 2010
AMENDMENT NO.10, 2012
(885 TOPSAIL ROAD (CM)
REZONING AMENDMENT)**

TAKE NOTICE that the CITY OF MOUNT PEARL City Plan 2010 Amendment No.4, 2012 and Development Regulations 2010 Amendment No. 10, 2012, adopted on the 13th day of November, 2012 and approved on the 18th day of December, 2012, has been registered by the Minister of Municipal Affairs.

In general terms, the purpose of Mount Pearl City Plan 2010 Amendment No.4, 2012 is to re-designate the property at 885 Topsail Road to provide Council with the authority to permit a new commercial building. The

proposed new commercial use will be a permitted use in the Mixed Use Designation.

In general terms, the purpose of Mount Pearl Development Regulations 2010 Amendment No. 10, 2012 is to rezone the property at 885 Topsail Road to provide Council with the authority to permit a new commercial building. The proposed new commercial building will be utilized for a bank use which is a permitted use in the Commercial Mixed (CM) Use.

The Mount Pearl City Plan 2010 Amendment No.4, 2012 and Mount Pearl Development Regulations 2010 Amendment No. 10, 2012, come into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of these Amendments may do so at the Mount Pearl City Hall, 3 Centennial Street, during normal working hours.

CITY OF MOUNT PEARL
PER: Michele Peach, Chief Administrative Officer

Jan 25

MOTOR CARRIER ACT

**IN THE MATTER OF
THE *MOTOR CARRIER ACT*,
cM-19, RSNL 1990**

**AND
IN THE MATTER OF AN APPLICATION FOR A
MOTOR CARRIER CERTIFICATE**

NOTICE OF APPLICATION

TAKE NOTICE that MOORE'S AMBULANCE (2012) LIMITED of P.O. Box 429, Clarke's Beach, NL, A0A 1W0, has applied to the Board of Commissioners of Public Utilities under the provisions of the *Motor Carrier Act*, cM-19, RSNL 1990, for the issuance of a Certificate as a motor carrier to provide the following service:

*IRREGULAR SPECIALITY AMBULANCE SERVICE
for the transportation of persons
requiring medical attention
or under medical care
upon the request of a Medical Doctor
or Registered Nurse*

from Clarke's Beach, Makinsons, South River, Salmon Cove, North River, Bareneed, Port De Grave, Country Road, Bay Roberts, Shearstown, Spaniard's Bay, Tilton, Cupids, Marysvale, Georgetown, Brigus, Coley's Point, Hibb's Cove, Butlerville, French's Cove, Roaches Line, Hallstown, Hodgewater Line, Ocean Pond, Brigus Junction, Bishop's Cove, Bryant's Cove, Upper Island Cove, Harbour Grace South, Riverhead, Harbour Grace, Bristol's Hope, Carbonear, Freshwater, Victoria, and Perry's Cove to any hospital, nursing home, first aid station or home for senior citizens and upon specific

request of a medical doctor, registered nurse or a police officer between any two points in Newfoundland and Labrador.

The Board, having reviewed the application, has granted provisional approval and shall issue said Certificate, unless a person who objects to the application files with the Board a notice of objection to the application together with a written statement setting out in full the reasons why the application should be denied and relevant documentary evidence. The objector must also serve on the applicant a copy of the notice of objection, the statement of reasons and the relevant documentary evidence filed with the Board by personal service or by prepaid, registered mail, at the address shown on the application, and proof of service must be supplied to the Board.

The evidence to be submitted must be received by the Board within twenty days of the date of the publication of this notice, at the office of the Board at Suite East 210, Prince Charles Building, Torbay Road, NL or by mail to P.O. Box 21040, St. John's, NL A1A 5B2.

Dated at Clarke's Beach this 18th day of January, 2013.

MOORE'S AMBULANCE (2012) LIMITED
Carl Moore, President

Jan 25

**TRUSTEE ACT
ESTATE NOTICE**

IN THE MATTER OF the Estate of HENRY WARD ANDERSON (a.k.a. Harry Anderson), late of the Town of Channel-Port aux Basques, in the Province of Newfoundland and Labrador, Retired, Businessman, Divorced, Deceased.

ALL PERSONS claiming to be creditors of, or who have any claims or demands either as beneficiaries or next-of-kin, (by blood, legal adoption or marriage) upon or affecting the Estate of HENRY WARD ANDERSON, Retired Businessman, Divorced, Deceased, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned solicitors for the Administratrix of the Estate of the said deceased on or before the 22nd day of February, 2013 after which date the said Administratrix will proceed to distribute the said Estate having regard only to the claims to which he shall then have had notice.

DATED at the Town of Channel-Port aux Basques, Province of Newfoundland and Labrador, this 16th day of January, 2013.

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

ADDRESS FOR SERVICE
P.O. Box 640
174 Caribou Road
Channel-Port aux Basques, NL
A0M 1C0

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

Jan 25

ESTATE NOTICE

IN THE MATTER OF the Estate of HARVEY BRIAN BURSEY, late of the City of Hamilton, in the Province of Ontario, Former Carpenter, Married, Deceased.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of HARVEY BRIAN BURSEY, late of the City of Hamilton, Ontario, deceased, are hereby requested to send the particulars of the same in writing, duly attested, to the undersigned Solicitor for the Executrix of the Estate on or before the 25th day of February, 2013, after which date the said Executrix will proceed to distribute the said Estate having regard only to the claims of which notice shall have been received.

DATED at the Town of Stephenville, in the Province of Newfoundland and Labrador, this 16th day of January, 2013.

MILLS & GALLANT
Solicitors for the Executrix
PER: Susan H. Gallant

ADDRESS FOR SERVICE:
P.O. Box 447
87 Gallant Street
Stephenville, NL
A2N 3A3

Tel: (709) 643-5688
Fax: (709) 643-2906
Email: amandahulan@bellaliant.com

Jan 25

ESTATE NOTICE

IN THE MATTER OF the Estate of MINNIE MAY EDWARDS, late of the City of St. John's, in the Province of Newfoundland and Labrador, Retired Gentlewoman, Deceased.

All persons claiming to be creditors of, or who have any claims or demands upon or affecting, the Estate of MINNIE MAY EDWARDS, late of the City of St. John's, in the Province of Newfoundland and Labrador, Retired Gentlewoman, Deceased, who died on or about the 2nd day of October, 2012, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned solicitor

for the Co-Executors of the Estate of the said Deceased on or before the 25th day of February, 2013, after which date the Co-Executors shall proceed to distribute the Estate and Effects of the Estate having regard only to the claims to which they shall then have had notice.

MCINNES, COOPER
Solicitors for the Co-Executors
PER: Thomas R. Kendell, Q.C.

ADDRESS FOR SERVICE:
5th Floor
10 Fort William Place
P.O. Box 5939
St. John's, NL A1C 5X4

Tel: (709) 724-8275
Fax: (709) 722-1763

Jan 25 & Feb 1



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

Vol. 88

ST. JOHN'S, FRIDAY, JANUARY 25, 2013

No. 4

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 6/13
NLR 7/13
NLR 8/13
NLR 9/13



**NEWFOUNDLAND AND LABRADOR
REGULATION 6/13**

*Order Respecting a Feasibility Report for the Amalgamation of the
Local Service District of Virgin Arm-Carter's Cove, the Town of
Summerford and the Town of Cottlesville
under the
Municipalities Act, 1999*

(Filed January 23, 2013)

Under the authority of section 9 of the *Municipalities Act, 1999*, I
make the following order.

Dated at St. John's, January 22, 2013.

Kevin O'Brien
Minister of Municipal Affairs

REGULATIONS

Analysis

- | | |
|-----------------------|--------------------------|
| 1. Short title | 3. Appointment |
| 2. Feasibility report | 4. Preparation of report |

Short title

1. This order may be cited as the *Order Respecting a Feasibility Report for the Amalgamation of the Local Service District of Virgin Arm-Carter's Cove, the Town of Summerford and the Town of Cottlesville*.

*Order Respecting a Feasibility Report for the
Amalgamation of the Local Service District of Virgin
Arm-Carter's Cove, the Town of
Summerford and the Town of Cottlesville*

6/13

Feasibility report

2. A feasibility report shall be prepared to consider the amalgamation of the Local Service District of Virgin Arm-Carter's Cove, the unincorporated area of Parkview, the Town of Summerford and the Town of Cottlesville.

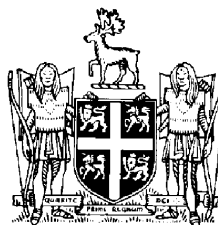
Appointment

3. George Whey of Whey Consulting is appointed to prepare the feasibility report.

Preparation of
report

4. The feasibility report shall be prepared in accordance with the provisions of the *Municipalities Act, 1999*.

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NEWFOUNDLAND AND LABRADOR REGULATION 7/13

Central Regional Service Board Regulations, 2013
under the
Regional Service Boards Act, 2012

(Filed January 23, 2013)

Under the authority of section 19 of the *Regional Service Boards Act, 2012*, I make the following regulations.

Dated at St. John's, January 15, 2013.

Kevin O'Brien
Minister of Municipal Affairs

REGULATIONS

Analysis

- | | |
|------------------------|--------------------------|
| 1. Short title | 4. Recovery of debt |
| 2. Definition | 5. Withdrawal of service |
| 3. Prescribed services | 6. Repeal |

Short title **1.** These regulations may be cited as the *Central Regional Service Board Regulations, 2013*.

Definition **2.** In these regulations, "board" means the Central Regional Service Board.

Prescribed services

- Recovery of debt
3. The board has the power to construct, acquire, maintain and operate a waste management system within the Central Region.
4. An amount owing under section 24 of the Act is a debt due to the board and the board may recover it by civil action in a court.
- Withdrawal of service
5. The board may stop providing a service to a municipal authority, user or other person where the municipal authority, user or other person fails to comply with a policy of the board respecting the service.
- Repeal
- 6. The *Central Regional Service Board Regulations, Newfoundland and Labrador Regulation 54/08, are repealed.***

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NEWFOUNDLAND AND LABRADOR REGULATION 8/13

Eastern Regional Service Board Regulations, 2013
under the
Regional Service Boards Act, 2012

(Filed January 23, 2013)

Under the authority of section 19 of the *Regional Service Boards Act, 2012*, I make the following regulations.

Dated at St. John's, January 15, 2013.

Kevin O'Brien
Minister of Municipal Affairs

REGULATIONS

Analysis

- | | |
|------------------------|--------------------------|
| 1. Short title | 4. Recovery of debt |
| 2. Definition | 5. Withdrawal of service |
| 3. Prescribed services | 6. Repeal |

Short title **1.** These regulations may be cited as the *Eastern Regional Service Board Regulations, 2013*.

Definition **2.** In these regulations, "board" means the Eastern Regional Service Board.

Prescribed services **3.** The board has the power to construct, acquire, maintain and operate a waste management system within the Eastern Region.

Recovery of debt

4. An amount owing under section 24 of the Act is a debt due to the board and the board may recover it by civil action in a court.

Withdrawal of
service

5. The board may stop providing a service to a municipal authority, user or other person where the municipal authority, user or other person fails to comply with a policy of the board respecting the service.

Repeal

6. The *Eastern Regional Service Board Regulations, Newfoundland and Labrador Regulation 92/11, are repealed.*

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NEWFOUNDLAND AND LABRADOR REGULATION 9/13

Northern Peninsula Regional Service Board Regulations, 2013
under the
Regional Service Boards Act, 2013

(Filed January 23, 2013)

Under the authority of section 19 of the *Regional Service Boards Act, 2012*, I make the following regulations.

Dated at St. John's, January 15, 2013.

Kevin O'Brien
Minister of Municipal Affairs

REGULATIONS

Analysis

- | | |
|------------------------|--------------------------|
| 1. Short title | 4. Recovery of debt |
| 2. Definition | 5. Withdrawal of service |
| 3. Prescribed services | 6. Repeal |

Short title	1. These regulations may be cited as the <i>Northern Peninsula Regional Service Board Regulations, 2013</i> .
Definition	2. In these regulations, "board" means the Northern Peninsula Regional Service Board.
Prescribed services	3. (1) The board has the power to construct, acquire, maintain and operate a waste management system within the Northern Peninsula Region.

(2) The board has the power to provide fire protection services to the portion of the Northern Peninsula Region defined as the towns, local service districts and unincorporated areas from Eddies Cove in the north to Anchor Point in the south.

Recovery of debt **4.** An amount owing under section 24 of the Act is a debt due to the board and the board may recover it by civil action in a court.

Withdrawal of service **5.** The board may stop providing a service to a municipal authority, user or other person where the municipal authority, user or other person fails to comply with a policy of the board respecting the service.

Repeal **6. The *Northern Peninsula Regional Service Board Regulations, Newfoundland and Labrador Regulation 34/05, are repealed.***

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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.
Municipalities Act, 1999			
Order Respecting a Feasibility Report for the Amalgamation of the Local Service District of Virgin Arm-Carter’s Cove, the Town of Summerford and the Town of Cottlesville	NLR 6/13	New	Jan 25/13 p. 35
Regional Service Boards Act, 2012			
Central Regional Services Board Regulations, 2013	NLR 7/13	R&S NLR 54/08	Jan 25/13 p. 37
Eastern Regional Services Board Regulations, 2013	NLR 8/13	R&S NLR 92/11	Jan 25/13 p. 39
Northern Peninsula Regional Services Board Regulations, 2013	NLR 9/13	R&S NLR 34/05	Jan 25/13 p. 41

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