



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 88

ST. JOHN'S, FRIDAY, MAY 3, 2013

No. 18

INTERNATIONAL INTERESTS IN MOBILE AIRCRAFT EQUIPMENT ACT

*Notice of Convention on International Interests in Mobile Equipment
and the Protocol to the Convention on International Interests in Mobile
Equipment in Matters Specific to Aircraft Equipment
under the
International Interests in Mobile Aircraft Equipment Act*

NOTICE

Under section 9 of the *International Interests in Mobile Aircraft Equipment Act*, notice is given that:

The Convention on International Interests in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment in Matters Specific to Aircraft Equipment comes into force in Newfoundland and Labrador on May 3, 2013.

The regulations pursuant to the Protocol dealing with the operation of the International Registry are online at:

http://www.icao.int/publications/Documents/9864_4ed.pdf

TOM MARSHALL
Attorney General

May 3

HIGHWAY TRAFFIC ACT

DEPARTMENT OF TRANSPORTATION AND WORKS

ORDER

FURTHER TO the attached delegation of authority by the MINISTER OF WORKS, SERVICES, AND TRANSPORTATION to the City of St. John's dated April 27, 1990, in accordance with sections 189 and 190 of the *Highway Traffic Act*, RSNL1990 cH-3 as amended, and pursuant to section 189 (6) of the *Highway Traffic Act*, RSNL1990 cH-3 as amended, I, the Honourable Paul A. Davis, the MINISTER OF TRANSPORTATION AND WORKS, under section 189(1) of the *Highway Traffic Act*, RSNL1990 cH-3, as amended, hereby delegate to the City of St. John's the power to make municipal regulations and/or by-laws in respect of a highway as defined under the *Highway Traffic Act*, RSNL 1990 cH-3, as amended, which passes through the City of St. John's, other than a highway that is on property that is occupied by and under the administration and control of Her Majesty the Queen in the right of Newfoundland and Labrador or a highway that is listed in Schedule "A" to the Building Near Highway Regulations, being Newfoundland and Labrador Regulation 28/97 made under the authority of the *Works, Services and Transportation Act*, SNL1995 cW-12, as amended; and I approve and authorize the City of St. John's to enforce on those roads, streets, lanes, sidewalks, parking areas and bridges within the City of St. John's the ownership, management or control of which is vested in the City of St. John's and in respect of a highway as defined under the *Highway Traffic Act*, RSNL1990 cH-3, as amended, which passes through the City of St. John's, and the ownership, management or control of which is not vested in the City of St. John's other than a highway that is on property that is occupied by and under the administration and control of Her Majesty the Queen in right of Newfoundland and Labrador or a highway that is listed in Schedule "A" to the Building Near Highway Regulations, being Newfoundland and Labrador Regulation 28/97 made under authority of the *Works, Services and Transportation Act*, SNL1995 cW-12, as amended the following :

1. City of St. John's By-Law No. 1368 passed by the Council of the City of St. John's on April 15, 1996 and Amendment Nos.1377, 1386, 1412, 1421, 1449, 1478, 1554 & 1555 to the said By-Law as passed by the Council of the City of St. John's, known collectively as the "Ticketing Amendment by-Law" as amended from time to time by the Council of the City of St. John's; and
2. Non-moving violations as set out in sections 140-148 of the *Highway Traffic Act*, RSNL1990 cH-3, as amended.

This approval and authorization shall remain in effect until such time as I, the MINISTER OF TRANSPORTATION AND WORKS or any successor in office to me having the legal power to do so, sees fit to revoke, amend or vary the same, provided that such revocation, amendment or variation must be in writing in order to take effect.

Dated this 15th day of April, 2013, in the City of St. John's, in the Province of Newfoundland and Labrador.

HONOURABLE PAUL A. DAVIS
Minister of Transportation and Works

May 3

DEPARTMENT OF WORKS, SERVICES & TRANSPORTATION

NOTICE

In accordance with the provisions of Section 188 and 189 of the *Highway Traffic Act, 1988*, power is hereby delegated to the City of St. John's, Newfoundland to make regulations to have effect only within the limits of the municipality and in respect of those roads, streets, lanes, sidewalks and bridges within the municipality, the ownership, management or control of which is vested in the Council, for any of the purposes or with respect of any of the matters following:

- (a) fixing the maximum or minimum speeds at which motor vehicles may be driven upon a highway in the municipality;
- (b) regulating the use of specified highways or parts thereof either absolutely or subject to conditions, including conditions as to place and direction of entry and departure, and either generally or at or between specified times;
- (c) regulating the routes or directions to be followed by vehicles from one specified point to another;

- (d) regulating the relative position in the roadway of traffic of differing speeds or types;
- (e) prescribing the places where vehicles may not turn so as to face in the opposite direction to that in which they were proceeding or where they may so turn only under conditions prescribed by the regulations;
- (f) regulating the loading and unloading of articles on to or from vehicles on specified highways;
- (g) regulating the stopping of vehicles on specified highways for the purpose of picking up or discharging passengers;
- (h) regulating the manner in which and the times and places at which and the conditions on which vehicles may draw up, stand, park, wait or be left unattended on highways;
- (i) for the purpose of paragraph (h) and notwithstanding any other provisions of this Act defining the expressions "draw up", "stand", "park", "wait", and "unattended";
- (j) regulating the parking, standing or waiting of vehicles on highways, in order to facilitate snow ploughing, snow removal or street cleaning;
- (k) regulating the leading or driving of horses, cattle, sheep and other animals on highways;
- (l) regulating the manner and prescribing the conditions subject to which and the times at which horses may be ridden on highways;
- (m) prescribing places in highways and other public places where vehicles may or may not wait, either generally or at particular times, and the manner of placing those vehicles;
- (n) regulating the reservation of highways or parts of highways for parking purposes and the charging and collection of fees for parking, by means of mechanical appliances, and generally in respect of any other matter in connection therewith for which the Council deems regulations necessary;
- (o) for enabling the Council, in the event of any person failing to do anything, which under the regulations he ought to have done, to do that act and to recover the expenses thereof from the person so in default as a civil debt.

And may on any of the aforesaid roads, streets, lanes, sidewalks and bridges erect and maintain traffic signs referred to in Part VI or prescribed by the Minister under Part VII J of the *Highway Traffic Act* and may retain traffic signs erected prior to the date of commencement of the said Act.

Dated at St. John's this 27th day of April, 1990.

MINISTER OF WORKS, SERVICES AND TRANSPORTATION
David S. Gilbert

May 3

MINERAL ACT

NOTICE

Published in accordance with section 62 of CNLR 1143/96 under the *Mineral Act*, cM-12, RSNL1990 as amended.

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

| | |
|----------------------|--|
| Mineral License | 016317M |
| Held by | Mega Uranium Ltd. (66%)/Anthem Resources Inc.(34%) |
| Situate near | Kaipokok River |
| On map sheet | 13K/10 |
| A portion of license | 010062M |
| Held by | Buchans Minerals Corporation |

| | |
|--|-------------------------|
| Situate near | Lloyds Lake, Central NL |
| On map sheet | 12A/05 |
| more particularly described in an application on file at Department of Natural Resources | |

| | |
|-----------------|------------------------------|
| Mineral License | 011681M |
| Held by | Buchans Minerals Corporation |
| Situate near | Burnt Pond, Central NL |
| On map sheet | 12A/09 |

| | |
|-----------------|-----------------------------|
| Mineral License | 010546M |
| Held by | 7980736 Canada Inc. |
| Situate near | Red Indian Lake, Central NL |
| On map sheet | 12A/15 |

| | |
|-----------------|------------------------------|
| Mineral License | 020979M |
| Held by | Crosshair Energy Corporation |
| Situate near | Pocketknife Lake |
| On map sheet | 13K/06, 13K/07 |

THE NEWFOUNDLAND AND LABRADOR GAZETTE
May 3, 2013

| | | | |
|--|--|---|---|
| Mineral License Held by Situates near On map sheet | 014608M McLennon, Tom Fortune Harbour, Central NL 02E/11 | Mineral License Held by Situates near On map sheet | 019696M Driscoll, Donald Badger Area, Central NL 12A/16 |
| Mineral License Held by Situates near On map sheet | 014661M Eagleridge International Limited Port Hope Simpson 13A/09 | Mineral License Held by Situates near On map sheet | 019755M Kennedy, Jacob Badger Area, Central NL 12A/16 |
| Mineral License Held by Situates near On map sheet | 016011M Silver Spruce Resources Inc. Jeanette Bay 13I/12 | Mineral License Held by Situates near On map sheet | 019757M McFatrige, Heather Ghost Pond, Central NL 02E/05 |
| Mineral License Held by Situates near On map sheet | 017105M Hicks, Darrin Ross Lake 13L/14 | Mineral License Held by Situates near On map sheet | 019758M Unity Resources Inc. Jonathans Pond, Central NL 02E/02 |
| Mineral License Held by Situates near On map sheet | 018397M Pike, Lloyd St. Georges, Western NL 12B/08 | Mineral License Held by Situates near On map sheet | 019759M Marathon Gold Corporation Southern Pond, Baie Verte Peninsula 12H/16 |
| A portion of license Held by Situates near On map sheet more particularly described in an application on file at Department of Natural Resources | 021008M Hicks, David Seal Bay Area, Central NL 02E/05 | Mineral License Held by Situates near On map sheet | 019760M Marathon Gold Corporation Southern Pond, Baie Verte Peninsula 12H/16 |
| A portion of license Held by Situates near On map sheet more particularly described in an application on file at Department of Natural Resources | 018765M Buchans Minerals Corporation Puddle Pond, Central NL 12A/05 | Mineral License Held by Situates near On map sheet | 019762M Altius Resources Inc. Jonathans Pond Area, Central NL 02E/02 |
| A portion of license Held by Situates near On map sheet more particularly described in an application on file at Department of Natural Resources | 018766M Buchans Minerals Corporation Puddle Pond, Central NL 12A/05 | Mineral License Held by Situates near On map sheet | 019764M Altius Resources Inc. Northwest Gander River, Central NL 02D/11 |
| Mineral License Held by Situates near On map sheet | 019504M Ryan, Kevin Conception Bay South, Avalon Peninsula 01N/07, 01N/10 | Mineral License Held by Situates near On map sheet | 019766M Altius Resources Inc. Northwest Gander River, Central NL 02D/11 |
| Mineral License Held by Situates near On map sheet | 019684M Holloway, A. Boyd Tote Hill Area, Central NL 02D/14 | Mineral License Held by Situates near On map sheet | 019768M Altius Resources Inc. Northwest Gander River, Central NL 02D/11 |
| Mineral License Held by Situates near On map sheet | 019687M Hicks, Darrin Otter Lake Area 13K/07 | Mineral License Held by Situates near On map sheet | 019771M Mercer, David Charles Brook, Central NL 02E/06 |
| Mineral License Held by Situates near On map sheet | 019688M Hicks, Darrin Portage Lake 13K/06 | Mineral License Held by Situates near On map sheet | 019773M Hicks, Darrin Fox Island River, Western NL 12B/10 |
| Mineral License Held by Situates near On map sheet | 019695M Courtney, Stephen Charles Brook, Central NL 02E/06 | Mineral License Held by Situates near On map sheet | 019774M Hicks, Darrin Fox Island River, Western NL 12B/10 |
| | | Mineral License Held by Situates near On map sheet | 019775M Coady, Craig Gordon Cape Caribou River Area 13F/07, 13F/10 |

A portion of license 020031M
Held by MacDonald, David
Situate near North of Shoulder Blade Lake, Central NL
On map sheet 12A/16
more particularly described in an application on file at Department
of Natural Resources

Dated this 23rd day of April, 2013.

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

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, 97/00, 36/001, 31/04, 78/06, 8/08, 28/09 and 5/13 and outlined on 1:50 000 scale digital maps maintained by the Department of Natural Resources, will be open for staking after the hour of 9:00 a.m. on the 32nd clear day after the date of this publication.

DEPARTMENT OF NATURAL RESOURCES
JUSTIN LAKE
Manager - Mineral Rights

File #'s 774: 5162, 5567, 5866, 5869, 6001, 9344, 9396,
9420,

775: 0745, 1753, 1863, 2086, 2087, 2715, 2721,
2853, 2854, 2855, 2859, 2860, 2861, 2863,
2864, 2865, 2866, 2868, 2870, 2872, 2874,
2877, 2879, 2880, 2881, 3087

May 3

CITY OF ST. JOHN'S ACT



**NOTICE
ST. JOHN'S MUNICIPAL COUNCIL
ST. JOHN'S ELECTRICAL
(AMENDMENT NO. 1-2013) BY-LAW**

TAKE NOTICE that the ST. JOHN'S MUNICIPAL COUNCIL has enacted the St. John's Electrical (Amendment No. 1 - 2013) By-Law.

The said By-Law was passed by Council on the 23rd day of April, 2012, so as to adopt the 2012 Canadian Electrical Code.

All persons are hereby required to take notice that any person who wishes to view such Regulations 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.

May 3

QUIETING OF TITLES ACT

**2013 04G 0077
IN THE SUPREME COURT OF
NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION (General)**

IN THE MATTER OF ALL THAT piece or parcel of land situate, lying and being at the Community of Tompkins, District of St. George's and Stephenville East, in the Province of Newfoundland and Labrador, Canada.

AND

IN THE MATTER OF the Application of KELLY TOMPKINS for a Certificate of Title of the said parcel of land pursuant to the *Quieting of Titles Act*, RSNL1990 cQ-3, as amended.

NOTICE OF APPLICATION under the *Quieting of Titles Act*, RSNL1990 cQ-3, as amended.

NOTICE is hereby given to all persons that KELLY TOMPKINS has applied to the Supreme Court of Newfoundland and Labrador, to have title investigated and declared to ALL THAT piece or parcel of land situate, lying and being at the Community of Tompkins, District of St. George's and Stephenville East, in the Province of Newfoundland and Labrador, and being more particularly described in Schedule "A" hereto annexed, of which the said KELLY TOMPKINS claims to be the absolute owner thereof and the said KELLY TOMPKINS has been ordered to publish Notice of the said application as required by the above named Act.

All persons having title adverse to the said title claimed by the said KELLY TOMPKINS shall file in the Registry of the Supreme Court of Newfoundland and Labrador, Trial Division, at Corner Brook, 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 Applicants on or before the 31st day of May, 2013, after which date no party having any claim shall be permitted to file same or to be heard except by 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 Court may direct.

DATED at the Town of Channel-Port aux Basques, Province of Newfoundland and Labrador, this 23rd day of April, 2013.

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

ADDRESS FOR SERVICE

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

Tel: (709) 695-7338/7341

Fax: (709) 695-3944

SCHEDULE "A"

All that piece or parcel of land, situate, lying and being in the Community of Tompkins, Electrical District of St. George's and Stephenville East, Province of Newfoundland and Labrador, abutted, bounded and being more particularly describer as follows:

That is to say: Beginning at a point on the northwesterly limit of the Old Railway Right-of-Way, now land of HM in right of Newfoundland and Labrador, said point being found by running from Crown Land Monument 84G4185, North forty-one degrees forty-three minutes seven seconds West (N41°43'07"W) eight hundred thirty decimal five two four (830.524) metres;

Running thence from the above described point of beginning by aforesaid land of HM in right of Newfoundland and Labrador, South thirty-nine degrees six minutes thirty-three seconds West (S39°06'33"W) two hundred twenty-two decimal one one eight (222.118) metres;

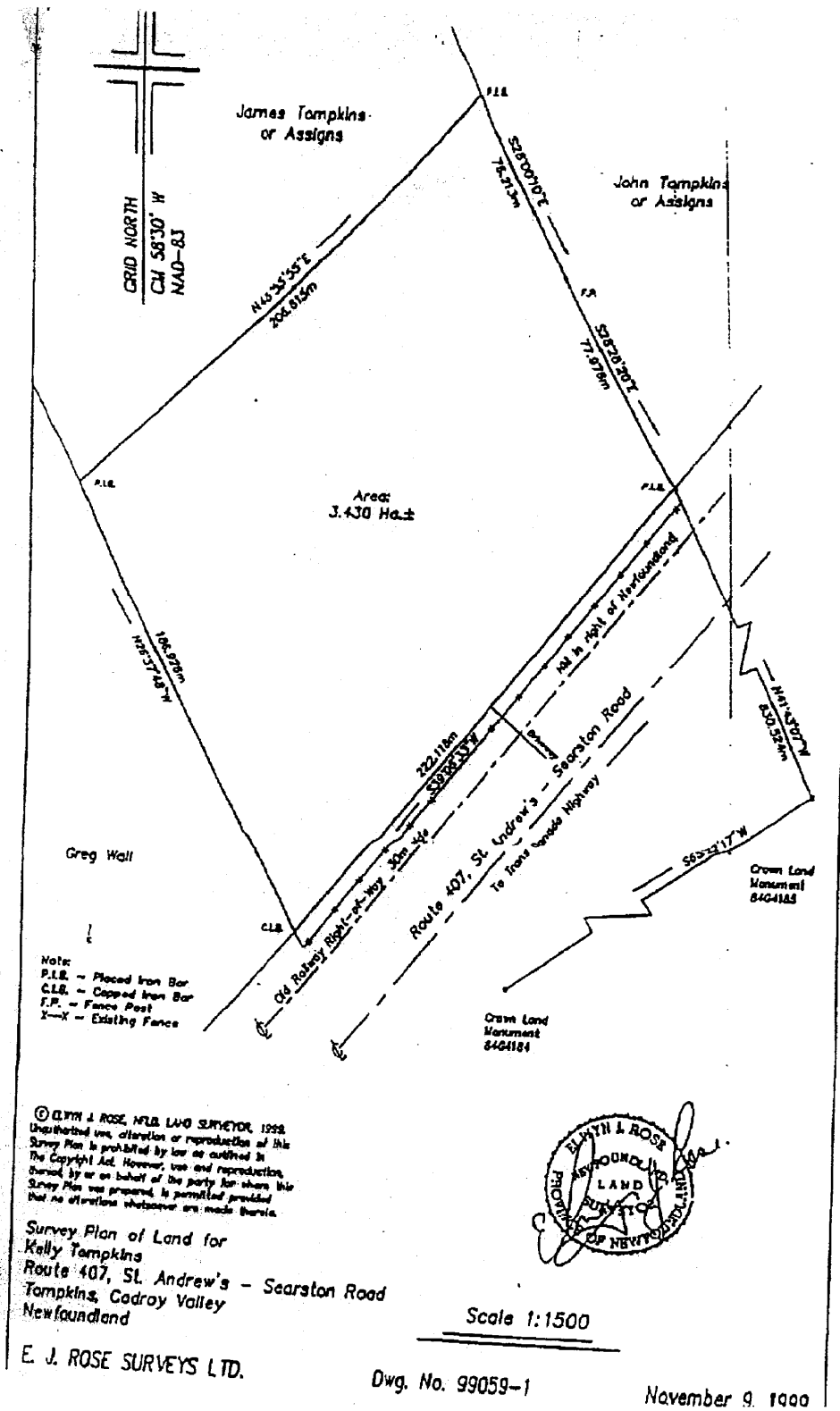
Thence by land of Greg Wall, North twenty-six degrees thirty-seven minutes forty-eight seconds West (N26°37'48"E) one hundred eight-six decimal nine two six (186.928) metres;

Thence by land of James Tompkins or Assigns, North forty-six degrees fifty-five minutes fifty-five seconds East (N46°55'55"E) two hundred six decimal one five (206.615) metres;

Thence by land of John Tompkins or Assigns, South twenty-eight degrees zero minutes ten seconds East (S 28°00'10"E) seventy-six decimal two one three (76.213) metres and South twenty-eight degrees twenty-eight minutes twenty seconds East (S28°28'20"E) seventy-seven decimal nine seven six (77.976) metres, more or less, to the point of beginning.

The herein described piece or parcel of land containing an area of three decimal four three zero (3.430) hectares, more or less, and being more particularly shown and delineated on E. J. Rose Surveys Ltd. Drawing No. 99059-1, dated November 9, 1999, hereto attached.

All bearings being referred to the Meridian of 58°30' West Longitude of the Three Degree Transverse Mercator Projection of Newfoundland and Labrador, (NAD-83), and premising that the bearing from Crown Land Monument 84G4185 to Crown Land Monument 84G4184 is South sixty-five degrees twenty-two minutes seventeen seconds West (S65°22'17"W).



TRUSTEE ACT

ROXANNE PIKE
Solicitor for the Executor

ESTATE NOTICE

IN THE ESTATE of VERONICA ANN HARVEY, late of the City of Brampton, in the Province of Ontario, Housewife, Married, Deceased.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of VERONICA ANN HARVEY, late of the City of Brampton, Ontario, deceased, are hereby requested to send the particulars of the same in writing, duly attested, to the undersigned Solicitor for the Executor of the Estate on or before the 3rd day of June, 2013, after which date the said Executor will proceed to distribute the said Estate having regard only to the claims of which notice shall have been received.

DATED at Stephenville, Newfoundland and Labrador, this 26th day of April, 2013.

MILLS & GALLANT
Solicitor for the Executor
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

May 3

ESTATE NOTICE

IN THE ESTATE of WILLIAM H. SMITH, Late of the Town of Stephenville Crossing, in the Province of Newfoundland and Labrador, deceased: April 10, 2013

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of WILLIAM H. SMITH, late of the Town of Stephenville Crossing, in the Province of Newfoundland and Labrador, deceased, are hereby requested to send the particulars of the same in writing, duly attested, to the undersigned Solicitor for the Executor of the Estate on or before the 28th day of May, 2013, after which date the said Executor will proceed to distribute the said Estate having regard only to the claims of which notice shall have been received.

DATED at Stephenville, Newfoundland and Labrador, this 23rd day of April, 2013.

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

Tel: (709) 643-6436
Fax: (709) 643-9343

May 3



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

Vol. 88

ST. JOHN'S, FRIDAY, MAY 3, 2013

No. 18

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 45/13
NLR 46/13
NLR 47/13
NLR 48/13



**NEWFOUNDLAND AND LABRADOR
REGULATION 45/13**

*Proclamation bringing Act into force
(with respect to Audiologists and Speech-Language Pathologists)
(In force April 30, 2013)
under the
Health Professions Act
(O.C. 2013-110)*

(Filed April 30, 2013)

*ELIZABETH THE SECOND, by the Grace of God of the
United Kingdom, Canada and Her Other Realms and Territories
QUEEN, Head of the Commonwealth, Defender of the Faith.*

FRANK F. FAGAN
Lieutenant Governor

PAUL NOBLE
Deputy Attorney General

TO ALL TO WHOM THESE PRESENTS SHALL COME,

GREETING;

A PROCLAMATION

WHEREAS in and by section 60 of “*An Act Respecting The Regulation of Certain Health Professions*,” SNL2010 CHAPTER H-1.02 (the “Act”) it is provided that the Act shall come into force on a date to be fixed by Proclamation of Our Lieutenant Governor in Council, and it is further provided that the Act may come into force for one or more health professions listed in the Schedule;

AND WHEREAS it is deemed expedient that the Act shall now come into force for the health professions of Audiologists and Speech Language Pathologists;

NOW KNOW YE, THAT WE, by and with the advice of Our Executive Council of Our Province of Newfoundland and Labrador, do by this our Proclamation declare and direct that “*An Act Respecting The Regulation of Certain Health Professions*,” SNL2010 CHAPTER H-1.02 shall come into force for the health professions of Audiologists and Speech-Language Pathologists on April 30, 2013.

*Proclamation bringing Act into force
(with respect to Audiologists and Speech-Language
Pathologists) (In force April 30, 2013)*

45/13

OF ALL WHICH OUR LOVING SUBJECTS AND ALL OTHERS whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

IN TESTIMONY WHEREOF WE have caused these Our Letters to be made Patent and the Great Seal of Newfoundland and Labrador to be hereunto affixed.

WITNESS: Our trusty and well-beloved the Honourable Frank F. Fagan, Member of the Order of Canada, Chancellor of the Order of Newfoundland and Labrador, Lieutenant Governor in and for Our Province of Newfoundland and Labrador.

AT OUR GOVERNMENT HOUSE in Our City of St. John's this 29th day of April, in the year of Our Lord two thousand and thirteen in the sixty-second year of Our Reign.

BY COMMAND,

KEVIN O'BRIEN
Registrar General



**NEWFOUNDLAND AND LABRADOR
REGULATION 46/13**

*Proclamation bringing Act into force
(with respect to Dental Hygienists)
(In force June 1, 2013)
under the
Health Professions Act
(O.C. 2013-110)*

(Filed April 30, 2013)

*ELIZABETH THE SECOND, by the Grace of God of the
United Kingdom, Canada and Her Other Realms and Territories
QUEEN, Head of the Commonwealth, Defender of the Faith.*

FRANK F. FAGAN
Lieutenant Governor

PAUL NOBLE
Deputy Attorney General

TO ALL TO WHOM THESE PRESENTS SHALL COME,

GREETING;

A PROCLAMATION

WHEREAS in and by section 60 of “*An Act Respecting The Regulation of Certain Health Professions*,” SNL2010 CHAPTER H-1.02 (the “Act”) it is provided that the Act shall come into force on a date to be fixed by Proclamation of Our Lieutenant Governor in Council, and it is further provided that the Act may come into force for one or more health professions listed in the Schedule;

AND WHEREAS it is deemed expedient that the Act shall now come into force for the health profession of Dental Hygienists;

NOW KNOW YE, THAT WE, by and with the advice of Our Executive Council of Our Province of Newfoundland and Labrador, do by this our Proclamation declare and direct that “*An Act Respecting The Regulation of Certain Health Professions*,” SNL2010 CHAPTER H-1.02 shall come into force for the health profession of Dental Hygienists on June 1, 2013.

OF ALL WHICH OUR LOVING SUBJECTS AND ALL OTHERS whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

IN TESTIMONY WHEREOF WE have caused these Our Letters to be made Patent and the Great Seal of Newfoundland and Labrador to be hereunto affixed.

WITNESS: Our trusty and well-beloved the Honourable Frank F. Fagan, Member of the Order of Canada, Chancellor of the Order of Newfoundland and Labrador, Lieutenant Governor in and for Our Province of Newfoundland and Labrador.

AT OUR GOVERNMENT HOUSE in Our City of St. John's this 29th day of April, in the year of Our Lord two thousand and thirteen in the sixty-second year of Our Reign.

BY COMMAND,

KEVIN O'BRIEN
Registrar General



**NEWFOUNDLAND AND LABRADOR
REGULATION 47/13**

Audiologists and Speech-Language Pathologists Regulations
under the
Health Professions Act

(Filed April 30, 2013)

Under the authority of section 53 of the *Health Professions Act*, the Newfoundland and Labrador Council of Health Professionals, with the approval of the Minister of Health and Community Services, makes the following regulations.

Dated at St. John's, April 30, 2013.

Leona Lewis
Co-Chairperson of the Council

John Crellin
Co-Chairperson of the Council

Susan Sullivan
Minister of Health and Community Services

REGULATIONS

Analysis

- | | |
|----------------------------------|---|
| 1. Short title | 10. Registration renewal |
| 2. Definitions | 11. Renewal requirements |
| 3. Members register | 12. Failure to renew registration |
| 4. Requirements for registration | 13. Registration after expiry |
| 5. General status | 14. Designated titles - audiologist |
| 6. General temporary status | 15. Designated titles - speech language pathologist |
| 7. Non-practicing status | 16. Notification of changes |
| 8. Conditions and restrictions | 17. Commencement |
| 9. Continuing education | |

Short title **1.** These regulations may be cited as the *Audiologists and Speech-Language Pathologists Regulations*.

Definitions **2.** In these regulations,

(a) "applicant" means a person who applies to the registration committee for registration as an audiologist or speech-language pathologist;

(b) "audiologist" means a person who practices audiology and is registered under these regulations;

(c) "audiology" means the practice of identifying, assessing, diagnosing and treating individuals with peripheral or central hearing loss, tinnitus and balance disorders;

(d) "college" means the College of Audiologists and Speech-Language Pathologists - Newfoundland and Labrador established under the Act;

(e) "continuing education" means a continuing education program developed by the college under paragraph 29(3)(b) of the Act;

(f) "general status" means the status of a member who is registered under section 5;

- (g) "general temporary status" means the status of a member who is registered under section 6;
- (h) "member" means a member of the college;
- (i) "non-practicing status" means the status of a member who is registered under section 7;
- (j) "registration committee" means the committee established under subsection 19(1) of the Act;
- (k) "speech-language pathologist" means a person who practices speech-language pathology and is registered under these regulations; and
- (l) "speech-language pathology" means the practice of identifying, assessing, diagnosing and treating disorders of communication and swallowing.

Members register

3. (1) The register of health professionals maintained by the registrar shall have the following categories for the purpose of registration of members:

- (a) general status;
- (b) general temporary status; and
- (c) non-practicing status.

(2) When a member's name has been added to the register, the registration committee shall issue a certificate of registration which shall be valid for the period of time set out on the certificate and which shall expire at the end of that period, unless renewed or extended in accordance with these regulations.

(3) Upon each renewal of registration, the registration committee shall issue a certificate of registration to the member.

Requirements for registration

4. (1) An applicant shall comply with the following registration requirements:

- (a) submission of a completed application for registration in the form set by the registration committee;

- (b) payment of any required fees; and
- (c) provision of the following information as requested by the registration committee:
 - (i) proof of identity by means of a valid photo identification card issued by the province or another government or other proof of identity acceptable to the registration committee,
 - (ii) a current Certificate of Good Conduct from the Royal Newfoundland Constabulary, Royal Canadian Mounted Police or other appropriate policing agency,
 - (iii) a current Vulnerable Sector Check from the Royal Newfoundland Constabulary, Royal Canadian Mounted Police or other appropriate policing agency,
 - (iv) a written consent for release of information,
 - (v) a declaration stating
 - (A) that the applicant has never been convicted of an offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or a similar penal statute of another country, or
 - (B) the details of his or her conviction under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or a similar penal statute of another country,
 - (vi) proof of professional liability insurance of a type and in an amount acceptable to the council, except where an applicant is applying for registration as a member with a non-practicing status, and
 - (vii) proof of a working knowledge of the English language that the registration committee considers sufficient to enable the person to practice audiology or speech-language pathology in the province.

(2) In addition to the requirements of subsection (1), where an applicant is currently or was previously licensed or registered to practice audiology or speech-language pathology in another jurisdiction, the applicant shall provide a letter of good standing from the licensing or registration body of that jurisdiction which includes confirmation of whether or not the applicant is or has been the subject of investigative or disciplinary proceedings in the jurisdiction and the particulars of those investigative or disciplinary proceedings.

General status

5. (1) Subsections (3) and (4) apply to an applicant who has successfully completed before 2013 an audiology or speech-language pathology program of study approved by the college.

(2) Subsections (5) and (6) apply to an applicant who has successfully completed in or after 2013 an audiology or speech-language pathology program of study approved by the college.

(3) An applicant under subsection (1) is entitled to be registered with a general status where he or she has

(a) complied with the requirements of section 4; and

(b) provided proof of successful completion of an audiology or speech-language pathology program of study approved by the college within the 4 years immediately preceding the application.

(4) Notwithstanding the time period referred to in subsection (3), where at least 4 years have elapsed between the submission of the application for registration and the completion of a program of study referred to in paragraph (3)(b), the applicant shall provide proof that he or she

(a) within the 4 years immediately preceding the application has been employed for at least 1000 hours in the practice of either audiology or speech-language pathology for which registration is sought;

(b) within the 4 years immediately preceding the application has completed a refresher course or re-entry program that is approved by the college respecting the practice of either audiology or speech-language pathology for which registration is sought; or

(c) has agreed to complete a period of practice that will be supervised, in a manner acceptable to the council, by a member of the same health profession who is registered with a general status and whose registration is not subject to conditions or restrictions.

(5) An applicant under subsection (2) is entitled to be registered with a general status where he or she has

(a) complied with the requirements of section 4;

(b) provided proof of successful completion of an audiology or speech-language pathology program of study approved by the college within the 4 years immediately preceding the application; and

(c) provided proof of successful completion of a registration exam approved by the college within the 4 years immediately preceding the application.

(6) Notwithstanding the time periods referred to in subsection (5), where at least 4 years have elapsed between the submission of the application for registration and either the completion of a program of study referred to in paragraph (5)(b) or the completion of the registration exam referred to in paragraph (5)(c) or both, the applicant shall provide proof that he or she, within the 4 years immediately preceding the application,

(a) has been employed for at least 1000 hours in the practice of either audiology or speech-language pathology for which registration is sought;

(b) has completed a refresher course or re-entry program that is approved by the college respecting the practice of either audiology or speech-language pathology for which registration is sought; or

(c) has completed a period of practice that has been supervised, in a manner acceptable to the council, by a member of the same health profession who is registered with a general status and whose registration is not subject to conditions or restrictions.

General temporary
status

6. (1) An applicant under subsection 5(5) who has not successfully completed the registration exam referred to in that subsection is entitled to be registered with a general temporary status where he or she

(a) has complied with the requirements of section 4; and

(b) in the 4 years immediately preceding the application, has successfully completed a program of study referred to in paragraph 5(5)(b).

(2) The registration of a member with a general temporary status is valid for the period of time set by the registration committee and is not subject to renewal but may be extended by the registration committee.

(3) A member registered with a general temporary status shall notify the registration committee of the date on which he or she is scheduled to write the registration exam referred to in paragraph 5(5)(c).

(4) When a member registered with a general temporary status passes the registration exam and continues to comply with the requirements of section 4, he or she shall be registered

(a) with a general status; or

(b) where the member satisfies the registration committee that he or she does not intend to maintain an active practice of audiology or speech-language pathology in the province, with a non-practicing status.

(5) When a member registered with a general temporary status does not pass the registration exam within the period of time set by the registration committee under subsection (2), his or her registration shall expire and may not be further extended.

(6) A member registered with a general temporary status shall not practice audiology or speech-language pathology unless he or she is supervised, in a manner acceptable to the council, by a member of the same health profession who is registered with a general status and whose registration is not subject to conditions or restrictions.

Non-practicing
status

7. (1) An applicant is entitled to be registered as a member with a non-practicing status where he or she

(a) complies with the requirements of section 5; and

(b) satisfies the registration committee that he or she does not intend to maintain an active practice of audiology or speech-language pathology in the province.

(2) A member who is registered with a non-practicing status is not required to carry professional liability insurance.

(3) A member who is registered with a non-practicing status shall not engage in the practice of audiology or speech-language pathology.

(4) A non-practicing registration shall expire on the date specified in the certificate of registration.

(5) A member who is registered with a non-practicing status may, while that registration is in effect, make application to the registration committee to have his or her status changed to that of a member with a general status and he or she is entitled to be registered as a member with a general status where the following conditions are met:

(a) the member pays any required fee;

(b) the member provides proof of professional liability insurance of a type and in an amount acceptable to the council;

(c) the member satisfies the continuing education requirements of subsection 9(1); and

(d) where registration as a member with a non-practicing status has been held for 12 consecutive months or longer, the member continues to meet the requirements of section 4 and the registration committee is satisfied that the applicant has the knowledge, skill and judgement necessary to be registered with a general status.

Conditions and
restrictions

8. (1) The registration committee may attach those conditions or restrictions to a registration that the registration committee considers appropriate, including

- (a) placing limits on the activities the member may perform; and
- (b) setting requirements for supervision of the member which may include specifics on the form or duration of the supervision.

(2) A member shall comply with all conditions and restrictions that are attached to his or her registration by the registration committee.

Continuing
education

9. (1) A member shall participate in continuing education as directed by the council.

(2) Where a member who is registered with a general status does not comply with subsection (1), the registration committee may require the member

- (a) to complete a program of continuing education within a specified period of time; or
- (b) to undergo a period of supervised practice.

(3) Where a member who is registered with a non-practicing status does not comply with subsection (1), the registration committee may require the member to complete a program of continuing education within a specified period of time.

Registration
renewal

10. (1) The registration committee shall advise each member who is registered with a general status or a non-practicing status of the expiry date of his or her registration and the renewal date applicable to that registration at the time of the initial registration and upon each renewal of that registration.

(2) An application to renew a member's registration shall be made before the expiry date of the member's registration and as directed by the registration committee.

Renewal
requirements

11. (1) A member who is registered with a general status or a non-practicing status is entitled, on application to the registration

committee, to have his or her registration renewed under section 10 where that member

- (a) provides a written consent for release of information as requested by the registration committee;
- (b) pays the required fees and, except in the case of a member applying for renewal of a non-practicing status, provides proof of professional liability insurance of a type and in an amount acceptable to the registration committee;
- (c) provides proof that he or she
 - (i) has successfully completed an audiology or speech-language pathology program of study, as appropriate, approved by the college within the 4 years immediately preceding the application,
 - (ii) has been employed for at least 1000 hours in the practice of either audiology or speech-language pathology, as appropriate, within the 4 years immediately preceding the application, or
 - (iii) has completed a refresher course or re-entry program that is approved by the college respecting the practice of either audiology or speech-language pathology, as appropriate, within the 4 years immediately preceding the application;
- (d) provides evidence of his or her participation in or completion of continuing education programs and professional development requirements as directed by the council; and
- (e) provides a declaration stating
 - (i) that, within the past year, the member has not been convicted of an offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or a similar penal statute of another country, or

- (ii) the details of his or her conviction, within the past year, under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or a similar penal statute of another country.

(2) In addition to the requirements of subsection (1), where the member was, within the 12 months immediately preceding the application for renewal of registration, licensed or registered to practice audiology or speech-language pathology in another jurisdiction, the member shall provide a letter of good standing from the licensing or registration body of that jurisdiction which includes confirmation of whether or not the member is or has been the subject of investigative or disciplinary proceedings in the jurisdiction and the particulars of those investigative or disciplinary proceedings.

(3) In addition to the requirements of subsection (1), where a member who is registered with a non-practicing status applies to have his or her registration renewed as a member with a general status, he or she shall satisfy the requirements of subsection 7(5).

Failure to renew
registration

12. Where a member registered with a general status or a non-practicing status fails to renew his or her registration on or before the expiry date, his or her registration shall expire and the member's name shall be removed from the register.

Registration after
expiry

13. A member who allows his or her registration to expire and whose name has been removed from the register under section 12 shall, for the purpose of a subsequent registration, meet the requirements imposed on a new applicant and comply with the applicable requirements of these regulations and with any conditions or restrictions attached to the registration by the registration committee under section 8.

Designated titles -
audiologist

14. (1) Only a member who is registered as an audiologist with a general status shall be entitled to use the title "Audiologist" or "Registered Audiologist" or an associated derivation or abbreviation.

(2) Only a member who is registered as an audiologist with a general temporary status shall be entitled to use the title "Audiologist - Temporary" or an associated derivation or abbreviation.

(3) Notwithstanding subsection (1), a member who is registered as an audiologist with a non-practicing status shall be entitled to use the

title "Audiologist" or "Registered Audiologist" or an associated derivation or abbreviation and shall indicate in the title that he or she is non-practicing.

Designated titles -
speech language
pathologist

15. (1) Only a member who is registered as a speech language pathologist with a general status shall be entitled to use the title "Speech-Language Pathologist" or "Registered Speech-Language Pathologist" or an associated derivation or abbreviation.

(2) Only a member who is registered as a speech language pathologist with a general temporary status shall be entitled to use the title "Speech-Language Pathologist - Temporary" or an associated derivation or abbreviation.

(3) Notwithstanding subsection (1), a member who is registered as a speech language pathologist with a non-practicing status shall be entitled to use the title "Speech-Language Pathologist" or "Registered Speech-Language Pathologist" or an associated derivation or abbreviation and shall indicate in the title that he or she is non-practicing.

Notification of
changes

16. A member shall notify the council immediately of a change in his or her

(a) mailing address; or

(b) employer.

Commencement

17. These regulations come into force on the day the *Health Professions Act* comes into force with respect to the designated health professions of audiologists and speech language pathologists.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 48/13**

*Proclamation bringing Act into force
(In force May 3, 2013)*

under the
*International Interests in Mobile
Aircraft Equipment Act
(O.C. 2013-111)*

(Filed May 1, 2013)

*ELIZABETH THE SECOND, by the Grace of God of the
United Kingdom, Canada and Her Other Realms and Territories
QUEEN, Head of the Commonwealth, Defender of the Faith.*

FRANK F. FAGAN
Lieutenant Governor

PAUL NOBLE
Deputy Attorney General

TO ALL TO WHOM THESE PRESENTS SHALL COME,

GREETING;

A PROCLAMATION

WHEREAS in and by section 10 of “*An Act to Implement the Convention on International Interests in Mobile Aircraft Equipment,*” SNL2006 CHAPTER I-15.1 (the “Act”) it is provided that the Act shall come into force on a date to be fixed by Proclamation of Our Lieutenant Governor in Council;

AND WHEREAS it is deemed expedient that the *Act* shall now come into force;

NOW KNOW YE, THAT WE, by and with the advice of Our Executive Council of Our Province of Newfoundland and Labrador, do by this our Proclamation declare and direct that “*An Act to Implement the Convention on International Interest in Mobile Aircraft Equipment,*” SNL2006 CHAPTER I-15.1 shall come into force on the date of publication of this proclamation in *The Newfoundland and Labrador Gazette*.

OF ALL WHICH OUR LOVING SUBJECTS AND ALL OTHERS whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

IN TESTIMONY WHEREOF WE have caused these Our Letters to be made Patent and the Great Seal of Newfoundland and Labrador to be hereunto affixed.

WITNESS: Our trusty and well-beloved the Honourable Frank F. Fagan, Member of the Order of Canada, Chancellor of the Order of Newfoundland and Labrador, Lieutenant Governor in and for Our Province of Newfoundland and Labrador.

AT OUR GOVERNMENT HOUSE in Our City of St. John's this 30th day of April, in the year of Our Lord two thousand and thirteen in the sixty-second year of Our Reign.

BY COMMAND,

KEVIN O'BRIEN
Registrar General

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