



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 89

ST. JOHN'S, FRIDAY, SEPTEMBER 26, 2014

No. 39

URBAN AND RURAL PLANNING ACT, 2000

NOTICE OF REGISTRATION ST. JOHN'S MUNICIPAL PLAN AMENDMENT NO. 126, 2014 AND

ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NO. 588, 2014

TAKE NOTICE that the ST. JOHN'S MUNICIPAL Plan Amendment Number 126, 2014, and the ST. JOHN'S Development Regulations Amendment Number 588, 2014 adopted on the 15th day of July, 2014, and approved on the 25th day of August, 2014, have been registered by the Minister of Municipal and Intergovernmental Affairs.

In general terms, the purpose of Municipal Plan Amendment Number 126, 2014, is to allow multi-family housing on properties that do not have frontage along Blackmarsh Road.

In general terms, the purpose of Development Regulations Amendment Number 588, 2014, is to allow for multi-family housing in Planning Area 4 – Mundy Pond, where this form of housing is currently exempt.

These amendments come into effect on the date that this notice is printed in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of the amendments may do so at the Department of Planning, 3rd Floor, St. John's City Hall during regular business hours.

CITY OF ST. JOHN'S
Ken O'Brien, MCIP –Chief Municipal Planner

Sept 26

NOTICE OF REGISTRATION TOWN OF NORTHERN ARM MUNICIPAL PLAN AND DEVELOPMENT REGULATIONS, 2013-2023

TAKE NOTICE that the TOWN OF NORTHERN ARM Municipal Plan and Development Regulations 2013-2023 adopted on the 19th day of November, 2013, has been registered by the Minister of Municipal and Intergovernmental Affairs.

The TOWN OF NORTHERN ARM Municipal Plan and Development Regulations, 2013-2023, comes into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of the TOWN OF NORTHERN ARM Municipal Plan

and Development Regulations, 2013-2023, may do so at the Town Office, Northern Arm, during normal working hours.

TOWN OF NORTHERN ARM
Ella Humphries, Town Clerk

Sept 26

**NOTICE OF REGISTRATION
TOWN OF PORTUGAL COVE-ST. PHILIP'S
DEVELOPMENT REGULATIONS
AMENDMENT No. 53, 2013**

TAKE NOTICE that the TOWN OF PORTUGAL COVE-ST. PHILIP'S Development Regulations Amendment No. 53, 2013, as adopted by Council on the 9th day of September, 2014, has been registered by the Minister of Municipal and Intergovernmental Affairs.

In general terms, Development Regulations Amendment No. 53, 2013, will re-zone an area of land from Development Scheme 10 to Residential Infill.

The purpose of Development Regulations Amendment No. 53, 2013, is to re-zone a parcel of land for the development of a single building lot at the end of Skinners Road from Development Scheme 10 to Residential Infill.

The TOWN OF PORTUGAL COVE-ST. PHILIP'S Development Regulations Amendment No. 53, 2013, comes into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of the TOWN OF PORTUGAL COVE-ST. PHILIP'S Development Regulations Amendment No. 53, 2013, may do so at the Town Office, Portugal Cove-St. Philip's during normal working hours.

TOWN OF PORTUGAL COVE-ST. PHILIP'S
Judy Squires, CMC, Town Clerk

Sept 26

LANDS ACT

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

NOTICE IS HEREBY given that IAN ALEXANDER HOUSE of Port Saunders, in the Province of Newfoundland and Labrador intends to apply to the Department of Environment and Conservation, two months from the publication of this notice, to acquire title, pursuant to Section 7 (2)(e) of the said Act, to that piece of Crown land situated within fifteen (15) metres of the waters of Port Saunders Harbour in the Electoral District of St. Barbe for the purpose of a wharf and shed and being more particularly described as follows:

*Bounded on the North by Residential
for a distance of 20 metres;
Bounded on the East by Industrial Commercial
for a distance of 2 metres;*

*Bounded on the South by
Port Saunders Harbour
for a distance of 40 metres;
Bounded on the West by Industrial Commercial
for a distance of 20 metres;
and containing an area of
approximately 1000 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, Howley Building, Higgins Line, St. John's, NL, A1B 4J6.

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

c/o Western Regional Lands Office, P.O. Box 2006, Sir Richard Squires Building, Comer 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 JUDY QUINLAN, Town Clerk, Telephone Number (709) 861-3105.

(DISCLAIMER: *The Newfoundland and Labrador Gazette* publishes a NOTICE OF INTENT as received from the Applicant and takes no responsibility for errors or omissions in the property being more particularly described.)

Sept 26

MECHANICS' LIEN ACT

**NOTICE OF INTENTION
TO RELEASE MECHANICS' LIEN HOLDBACK
PURSUANT TO SECTION 12.1 – 12.3
OF THE
MECHANICS' LIEN ACT
RSNL 1990 cM-3 (THE "ACT")**

PROJECT NO. 62 - 12TSB: CONSTRUCTION OF NEW VERTICAL LIFT BRIDGE AT PLACENTIA, NL

Pursuant to section 12.1 to 12.3 of the Act, and in relation to the contract entered into between Her Majesty The Queen in Right of Newfoundland and Labrador as Represented by the MINISTER OF TRANSPORTATION AND WORKS and a joint venture comprised of H.J. O'Connell Construction Limited and Vancouver Pile Driving Limited which contract is dated as of 14th day of April 2013, notice is hereby given of the intention of Her Majesty The Queen in Right of Newfoundland and Labrador as represented by the MINISTER OF TRANSPORTATION AND WORKS, to release mechanics' lien holdback funds 30 days following the date of this notice.

Any persons having outstanding claims against HJOC/VPL in relation to Project 62-12TSB, in order to make a claim for payment against holdback monies held, are instructed to notify the Department of Transportation and Works at the following address:

DEPARTMENT OF TRANSPORTATION AND WORKS
Highway Design and Construction Division
Attn: David Richards, P.Eng.
6th Floor, Confederation Building West Block
PO Box 8700 St. John's, NL A1B 4J6

Dated at St. John's, NL, this 26th day of September, 2014.

DEPARTMENT OF TRANSPORTATION AND WORKS
Highway Design and Construction Division
Attn: David Richards, P.Eng.

Sept 26

TRUSTEE ACT

ESTATE NOTICE

IN THE MATTER of the Estate of PETER FRANCIS BARRON, late of Freshwater, in the Province of Newfoundland and Labrador, 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 PETER FRANCIS BARRON, Gentleman, who died at Carbonear, NL on or about August 2, 2012, are hereby requested to send particulars thereof in writing, duly attested, to the Office of the Public Trustee, 401 - 136 Crosbie Road, St. John's, NL, A1B 3K3, Administrator of the Estate of PETER FRANCIS BARRON, on or before October 26, 2014, after which date the said Administrator will proceed to distribute the Estate having regard only to the claims of which he then shall have had notice.

DATED at St. John's, this 17th day of September, 2014.

OFFICE OF THE PUBLIC
Administrator of the Estate of
PETER FRANCIS BARRON

ADDRESS FOR SERVICE:
401 - 136 Crosbie Road
St. John's, NL, A1B 3K3

Tel: (709) 729-1025
Fax: (709) 729-3063

Sept 26

ESTATE NOTICE

IN THE MATTER of the Estate of EMILY FRANCES MULLETT Late of Comer Brook, the Province of Newfoundland and Labrador, Widower, Retired Teacher, Deceased.

All persons claiming to be creditors or who have any claims or demands upon or affecting the estate of EMILY FRANCES MULLETT late of Comer Brook, aforesaid, deceased, are hereby requested to send particulars therein in writing, duly attested to Deanne M. Penney, King Penney & Brown, at 37 West Street, Comer Brook, Newfoundland and Labrador, Solicitors for the estate of the deceased on or before 17th October 2014, after which date the Solicitors will proceed to distribute the said estate, having regard only to the claims which they shall then have had notice.

DATED at Comer Brook this 15th day of September, 2014.

KING PENNEY & BROWN
Solicitors for the Estate of
EMILY FRANCES MULLETT
PER: Deanne M. Penney

ADDRESS FOR SERVICE:
37 West Street
Comer Brook, NL A2H 2Y6

Tel: (709) 634-9812
Fax: (709) 634-1497

Sept 26

CHANGE OF NAME ACT, 2009

Legal name changes processed during the period – July 2014.

FORMER SURNAME	FORMER GIVEN NAME	NEW SURNAME	NEW GIVEN NAME	COMMUNITY
Coveyduck	Kyle Alexander	Boland	Kyle Alexander	Conception Bay South
Skinner	Cameron Dwayne	Marche	Cameron Dwayne	St. John's
Collins	Jenna Renee	Hancott	Jenna Renee	St. John's
Kavanagh	Leon Ricky	Smith	Leon Ricky	St. John's
Pokue-Pinette	Frank Joseph	Ponc-Pinette	Frankie Joseph	St. John's
Rumbolt	Daniel Darren Lee	Tatchell	Daniel Darren Lee	St. John's
Gidge	Leah Ann	Boyd	Leah Ann	St. John's
Whelan	Hannah Grace	Rumbolt	Hannah Grace	St. John's
James	Thea Janet	Fong	Thea Janet	St. John's
White	Nicholas Christopher Hsien Yee	Whyte	Nicholas Christopher Hsien Yee	St. John's
Warren	William Gerard	Lee	William Gerard	St. John's
Barnes-Engram	Justin Thomas Cecil	Barnes	Justin Thomas	St. John's
Barnes-Engram	Jadyn Gladys	Barnes	Jadyn Gladys	St. John's
Cadwell	Avery Jennifer	Barnes	Avery Jennifer	St. John's
Leblanc	Kaleb Keith Lewis	Normore	Kaleb Keith Lewis	St. John's
Reid	Nolan Bradley Paul	Benson	Nolan Bradley Paul	St. John's
Bemister	Brittany Brooke	Nichols	Brittany Brooke	St. John's
Doherty-Foley	Maryann Hazel	Cuff	Maryann Hazel	St. John's
Fleet	Madison Marie	Foley	Madison Marie	St. John's
Gates	Ryan Robert	Finlay	Ryan Robert	St. John's
Payne	Brooklynn Laura	Gates-Noel	Brooklynn Laura	St. John's
Redmond	Hillary Tracy	Bennett	Hillary Tracy	St. John's
Redmond	John James Michael Paul	Halliday	John James Michael Paul	St. John's
Redmond	Holly Cicley Bennett	Halliday	Holly Cicley Bennett	St. John's
Ingram	Alicha Jaqueline Lindsey Mary	Halliday	Alicha Jaqueline Lindsey Mary	St. John's
Garand	Jeffrey Wilfred Harry	Osmond	Jeffrey Wilfred Harry	St. John's
Penney	Liam Mathew	Paul	Liam Zachary	St. John's
Lambert	Rylan Darryl	Oliver	Rylan David	St. John's
Hughes	Alicia Megan	Cooke	Alicia Megan	St. John's
Evans	Jayden Robert	Tatchell	Jayden Robert	St. John's
Devereaux	Benjamin Thomas Meadus	Meadus	Benjamin Thomas Evans	St. John's
Ashford	Jaydon Chancey	Goodland	Jaydon Chancey	St. John's
White	Logan Patrick	Fraser	Logan Patrick	St. John's
Keeping	Alexandria Elizabeth Bridget	Murphy	Alexandria Elizabeth Bridget	St. John's
Bonia	Clara Marina	Kendall-Drake	Clara Marina	St. John's
Teale	Andrew John	Hawthorn	Andrew John Bonia	St. John's
	Leila Julie Doreen McCrate	McCrate	Leila Julie Doreen Teale	St. John's

Dated this 10th day of September, 2014.

SERVICE NL
Ken Mullaly, Registrar
Vital Statistics Division



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

Vol. 89

ST. JOHN'S, FRIDAY, SEPTEMBER 26, 2014

No. 39

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 79/14
NLR 80/14



NEWFOUNDLAND AND LABRADOR REGULATION 79/14

Mineral Regulations (Amendment)
under the
Mineral Act

(Filed September 23, 2014)

Under the authority of section 41 of the *Mineral Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, September 23, 2014.

Julia Mullaley
Clerk of the Executive Council

REGULATIONS

Analysis

- | | |
|---|---|
| 1. S.11 R&S
Assessment work and
refunds | surrender of extended
licence |
| 2. S.12 Amdt.
Fractional map staked claims | 8. S.39 Amdt.
Survey required |
| 3. S.13 Amdt.
Deposit not required | 9. S.47 R&S
Assessment work
requirements |
| 4. S.14 R&S
Licence reduction and partial
surrender | 10. S.52 Amdt.
Reports not approved |
| 5. S.36 Amdt.
Grouping of licences | 11. S. 54 R&S
Distribution of assessment
work |
| 6. S.37 R&S
Conditions of extended
licence | 12. S.62 Amdt.
Licence surrender and
cancellation |
| 7. S.38 R&S
Reduction and partial | |

CNLR 1143/96
as amended

1. Section 11 of the *Mineral Regulations* is repealed and the following substituted:

Assessment work
and refunds

11. (1) The deposit referred to in subparagraph 8(b)(ii) shall be refunded to the licensee if the licensee has completed all of the assessment work required to be done during the first year of the map staked licence and has filed with the department a report of all the work done that has been approved and accepted by the minister.

(2) If a map staked licence has been surrendered, cancelled or partially surrendered and the assessment work required to be done during the first year of the map staked licence has not been completed, the deposit or a portion of the deposit in proportion to the partial surrender, referred to in subparagraph 8(b)(ii) shall be forfeited to the minister.

(3) Where a licensee is granted an extension under Condition 2 of Schedule A to the Act, in order to complete the assessment work for the first year of the map staked licence, for reasons other than those set out in Condition 2(4) of Schedule A to the Act, the deposit referred to in subparagraph 8(b)(ii) shall be refunded to the licensee.

(4) Where a licensee is granted an extension under Condition 2 of Schedule A to the Act, in order to complete the assessment work for the first year of the map staked licence, for the reasons set out in Condition 2(4) of Schedule A to the Act, the deposit referred to in subparagraph 8(b)(ii) shall not be refunded to the licensee until all the assessment work required to be done for the first year of the map staked licence is completed.

(5) Where a licensee completes a portion of the assessment work required for the first year and has filed with the department a report, acceptable to the minister, of the work done, an equivalent proportion of the deposit referred to in subparagraph 8(b)(ii) shall be refunded to the licensee, the balance of the deposit referred to in subparagraph 8(b)(ii) shall be forfeited to the minister.

(6) Where a map staked licence is transferred in the manner provided for in the Act and regulations, rights to the deposit and the refund of it, as provided, shall pass with the licence.

2. Paragraph 12(1)(b) of the regulations is repealed and the following substituted:

- (b) included in an application for a map staked licence for the adjacent claim.

3. Subsection 13(1) of the regulations is repealed and the following substituted:

Deposit not required

13. (1) A genuine prospector may make application electronically, in the manner provided by the recorder, for map staked licences without submitting the deposit referred to in subparagraph 8(b)(ii), but

- (a) no more than 5 map staked licences shall be granted to the genuine prospector in a calendar year;
- (b) map staked licences granted to the genuine prospector in the calendar year shall include a maximum of 30 claims; and
- (c) the deposit referred to shall become payable in full where a transfer, except to the heir of the genuine prospector, is registered with respect to one or more of the map staked licences.

4. Section 14 of the regulations is repealed and the following substituted:

Licence reduction
and partial
surrender

14. (1) The holder of a map staked licence may apply to surrender portions of the area described in the map staked licence in a form approved by the minister during the currency of the map staked licence and the portion of the deposit made under subparagraph 8(b)(ii) or in compliance with Condition 2 of Schedule A to the Act relating to the area surrendered shall be forfeited to the minister and shall, on application, be granted a map staked licence for claims being retained free of charge for the unexpired term of the map staked licence.

(2) On receipt by the recorder of the application referred to in subsection (1), the rights of the licence holder to all areas not included in the application referred to in subsection (1) shall be considered to be surrendered immediately and shall be further dealt with in accordance with section 27 of the Act and section 62 of these regulations.

(3) Where surrender of some of the area included in a map staked licence results in physical separation of claims, separate map staked licences shall be issued for the physically separated claims.

(4) The anniversary date of a map staked licence referred to in subsection (1) shall be that of the map staked licence which is being relinquished for that area.

5. (1) Subsection 36(1) of the regulations is repealed and the following substituted:

Grouping of
licences

36. (1) The holder of licences may apply to group those licences to a single mapped staked licence provided however that no map staked licence shall include more than 256 map staked claims.

(2) Section 36 of the regulations is amended by adding immediately after subsection (4) the following:

(5) This section does not apply to licences extended under section 28.1 of the Act.

6. Section 37 of the regulations is repealed and the following substituted:

Conditions of
extended licence

37. (1) The holder of a licence may apply to the minister for not more than 3 extensions of the term of the licence in accordance with section 28 of the Act for all or a portion of the area described in the licence and the minister shall issue a licence for the extended period subject to

- (a) payment of the fee prescribed by the minister; and
- (b) assessment work requirements as set out in section 47 for each year of the extended period instead of the assessment work required during the original term of the licence.

(2) The holder of an extended licence may apply to the minister for an extension of the extended licence in accordance with section 28.1 of the Act for the area described in the licence, where the area is 100 coterminous map staked claims or less, or for a portion of the area described in the licence subject to

- (a) payment of the fee prescribed by the minister; and
- (b) assessment work requirements as set out in section 47 for the extension, instead of the assessment work required during the original term of the licence.

7. Section 38 of the regulations is repealed and the following substituted:

Reduction and
partial surrender of
extended licence

38. (1) The holder of an extended licence may apply to the minister for a reduction of the area covered by the extended licence and the minister may grant the reduction and reduce the assessment work requirement for the licensee for the current and subsequent years of the extended licence.

(2) If the extended licence is in an extension period under Condition 2 of Schedule A or B to the Act, the security deposit shall be forfeited in proportion to the reduction of the size of the extended licence.

(3) Applications for a reduction of the area covered by an extended licence shall be as prescribed under section 14.

8. Subsection 39(1) of the regulations is repealed and the following substituted:

Survey required

39. (1) Where a mining lease is applied for by the holder of a licence, the survey referred to in paragraph 31(3)(b) of the Act shall be filed with the recorder within 6 months of the date of application.

9. Section 47 of the regulations is repealed and the following substituted:

Assessment work
requirements

47. (1) The holder of a map staked licence shall be required to expend or cause to be expended on the licensed area on assessment work of a type described in section 48 the following amounts:

- (a) \$200 per map staked claim during the first year;
- (b) \$250 per map staked claim during the second year;
- (c) \$300 per map staked claim during the third year;
- (d) \$350 per map staked claim during the fourth year; and
- (e) \$400 per map staked claim during the fifth year.

(2) The holder of an extended licence under section 28 of the Act shall be required to expend or cause to be expended on the licensed

area on assessment work of a type described in section 48 the following amounts:

- (a) for each year of the first extended term, years 6-10, by multiplying the number of claims held under the licence by \$600;
- (b) for each year of the second extended term, years 11-15, by multiplying the number of claims held under the licence by \$900; and
- (c) for each year of the third extended term, years 16-20, by multiplying the number of claims held under the licence by \$1,200.

(3) The holder of an extended licence under section 28.1 of the Act shall be required to expend or cause to be expended on the licensed area on assessment work of a type described in section 48 the following amounts:

- (a) \$2,000 per map staked claim per year for years 21 to 25; and
- (b) \$2,500 per map staked claim per year for years 26 to 30.

10. Subparagraph 52(b)(ii) of the regulations is repealed and the following substituted:

- (ii) permit the holder to apply for an extension in accordance with Condition 2 of Schedule A or B to the Act notwithstanding the proviso regarding the anniversary date of the licence contained in the condition, but within a period not exceeding 30 days from the date of notification under this subparagraph.

11. Section 54 of the regulations is repealed and the following substituted:

Distribution of
assessment work

54. When a licence holder submits the account of expenditure required under Condition 3 of Schedule A or B to the Act the recorder shall apply the minimum expenditures required under these regulations equally to all claims comprising the original licence area or the licence area retained.

12. Subsection 62(3) of the regulations is repealed and the following substituted:

(3) Land affected by a surrender, expiration or cancellation of a licence shall be available for application in accordance with the Act as if no licence had been issued in respect of the land after the hour of 9:00 in the forenoon of the thirty-second clear day after publication of a notice under subsection (1) or (2).

©Queen's Printer



NEWFOUNDLAND AND LABRADOR REGULATION 80/14

Emergency 911 Fee Regulations
under the
Emergency 911 Act
(O.C. 2014-274)

(Filed September 24, 2014)

Under the authority of section 29 of the *Emergency 911 Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, September 23, 2014.

Julia Mullaley
Clerk of the Executive Council

REGULATIONS

Analysis

- | | |
|--|----------------------------------|
| 1. Short title | 7. Duty to provide information |
| 2. Definitions | 8. Collection costs |
| 3. Fee for emergency 911 telephone service | 9. Fees considered held in trust |
| 4. Prepaid wireless telephone service | 10. Recovery of fees |
| 5. Remittance of fee | 11. Statements by accountant |
| 6. Estimate of fees by corporation | 12. Retention of documents |
| | 13. Commencement |

Short title

1. These regulations may be cited as the *Emergency 911 Fee Regulations*.

2. In these regulations

Definitions

- (a) "Act" means the *Emergency 911 Act*;
- (b) "exchange service" means a landline-based telephone service or wireless telephone service that is provided by a telecommunications service provider to a subscriber and is capable of being used to dial 911, including
 - (i) a single line residential access line,
 - (ii) a single line business access line,
 - (iii) a multi-line outgoing access line,
 - (iv) a centrex telephone number,
 - (v) a wireless telephone number, and
 - (vi) a VoIP service;
- (c) "fee" means the fee for the emergency 911 telephone service referred to in subsections 23(1) and 23(2) of the Act; and
- (d) "VoIP" means Voice Over Internet Protocol.

Fee for emergency
911 telephone
service**3. (1) The fee shall be paid monthly by every subscriber.**

(2) The fee shall be \$0.75 a month for each exchange service.

(3) Where a telecommunications service provider provides a service to a subscriber for less than a month, the fee shall be prorated.

(4) Where a telecommunications service provider retains a monthly service fee as authorized under subsection 23(2) of the Act, it shall deduct that monthly service fee from the fee referred to in subsection (2).

Prepaid wireless
telephone service

4. (1) A telecommunications service provider shall, on a monthly basis, deduct the fee from a subscriber's wireless telephone service prepaid account, if one exists.

(2) The fee referred to in subsection (1) may be prorated in the manner contemplated in subsection 3(3).

(3) Where insufficient funds are available to deduct the fee from a subscriber's wireless telephone service prepaid account, the subscriber shall not be considered to have refused to pay the fee and the telecommunications service provider shall not make any further efforts to collect the fee.

Remittance of fee

5. (1) A telecommunications service provider shall, on a monthly basis and within 45 days after the last day of each month,

- (a) remit to the corporation the fees that the telecommunications service provider collected during that month, less any monthly service fee authorized under subsection 23(2) of the Act, and
- (b) submit to the corporation a report containing the following information with respect to that month:
 - (i) the amount of fees that the telecommunications service provider billed;
 - (ii) the amount of fees that the telecommunications service provider collected;
 - (iii) the amount of fees that the telecommunications service provider remitted to the corporation;
 - (iv) the amount of the monthly service fees collected as authorized under subsection 23(2) of the Act, if any;
 - (v) the number of exchange services that the telecommunications service provider provided; and
 - (vi) if applicable, the taxes, levies, duties or similar charges that the telecommunications service provider collected.

(2) Where a telecommunications service provider remits an amount of fees in excess of the amount required to be remitted, the corporation shall credit the surplus amount to the next remittance.

(3) Fees are not considered to be remitted to the corporation until they are received by the corporation.

Estimate of fees by
corporation

6. (1) Where a telecommunications service provider fails to remit fees to the corporation as required by the Act and these regulations, the corporation may make an estimate of the amount of fees that should have been remitted by the telecommunications service provider.

(2) An estimated amount under subsection (1) shall be considered to be the amount of fees that the telecommunications service provider has not remitted.

Duty to provide
information

7. (1) A telecommunications service provider shall provide the corporation with the following information:

(a) the corporate name of the telecommunications service provider; and

(b) the name, address, telephone number, fax number and e-mail address of the contact person for the telecommunications service provider.

(2) Where information referred to in subsection (1) changes, a telecommunications service provider shall provide the corporation with updated information.

Collection costs

8. Where a telecommunications service provider fails to remit fees to the corporation as required by the Act and these regulations, the telecommunications service provider shall, on demand by the corporation, pay to the corporation all of the costs and expenses incurred by the corporation in collecting the fees.

Fees considered
held in trust

9. (1) Fees collected by a telecommunications service provider under the authority of the Act and these regulations, except a monthly service fee retained under the authority of subsection 23(2) of the Act, shall be considered to be held in trust for the corporation and the fees shall, until remitted, form a lien on the entire estate of the telecommunications service provider or on the entire assets of the telecommunications service provider's estate in the hands of any trustee, in priority to every claim, privilege, lien or encumbrance.

(2) Where a telecommunications service provider is considered under subsection (1) to hold fees referred to in that subsection in trust,

those fees shall be considered to be held separate from and form no part of the estate or assets of the telecommunications service provider, whether or not the fees have in fact been kept separate and apart from the estate or assets of the telecommunications service provider.

Recovery of fees

10. (1) The amount of fees required to be remitted to the corporation, which excludes any monthly service fees authorized under subsection 23(2) of the Act, is a debt due to the corporation and may be recovered by action in any court of competent jurisdiction.

(2) The court may in an action under subsection (1) make an order as to the costs of the action.

Statements by
accountant

11. A telecommunications service provider shall, not later than a date to be established by the corporation, provide the corporation with a written statement signed by a chartered accountant, certified management accountant or certified general accountant certifying that the information contained in the reports submitted under section 5 during the previous calendar year is complete and accurate.

Retention of
documents

12. A telecommunications service provider shall retain all books of account, reports, records and documents for a minimum of 6 years after the date on which the books of account, reports, records and documents were made.

Commencement

13. These regulations come into force on January 1, 2015.

©Queen's Printer

Index

PART I

Change of Name Act, 2009 – Notice	350
Lands Act – Notice	348
Mechanics’ Lien – Notice.....	348
Trustee Act – Notices	349
Urban and Rural Planning Act, 2000 – Notices	347

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.
Mineral Act			
Mineral Regulations (Amdt.)	NLR 79/14	Amends CNLR 1143/96 S.11 R&S S.12 Amdt. S.14 R&S S.36 Amdt. S.37 R&S S.38 R&S S.39 Amdt. S.47 R&S S.52 Amdt. S.54 R&S S.62 Amdt.	Sept 26/14 p. 631
Emergency 911 Act			
Emergency 911 Fee Regulations (In force January 1, 2015)	NLR 80/14	New Extraordinary Gazette Sept 24/14	Sept 26/14 p. 639

The Newfoundland and Labrador Gazette is published from the Office of the Queen's Printer.

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

Advertisements must be submitted in either PDF format or as a MSWord file. When this is not possible, advertisements must be either typewritten or printed legibly, separate from covering letter. Number of insertions required must be stated and the names of all signing officers typewritten or printed.

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

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

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

Web Site: <http://www.servicenl.gov.nl.ca/printer/index.html>

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

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

All requests for Subscription and Legislation MUST be prepaid.