



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 90

ST. JOHN'S, FRIDAY, SEPTEMBER 11, 2015

No. 37

URBAN AND RURAL PLANNING ACT, 2000

NOTICE OF REGISTRATION ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NO. 618, 2015

TAKE NOTICE that the ST. JOHN'S Development Regulations Amendment Number 618, 2015 adopted on the 27th day of July, 2015, has been registered by the Minister of Municipal and Intergovernmental Affairs.

In general terms, the purpose of this ST. JOHN'S Development Regulations Amendment No. 618, 2015 is to rezone land at 465-467 Main Road from the Residential Low Density (R1) Zone to the Residential Medium Density - Condominium (R2-Condo) Zone.

This amendment comes 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 amendment may do so at the Department of Planning, Development and Engineering, 3rd Floor, St. John's City Hall during regular business hours.

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

Sept 11

NOTICE OF REGISTRATION ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NO. 620, 2015

TAKE NOTICE that the ST. JOHN'S Development Regulations Amendment Number 620, 2015 adopted on the 10th day of August, 2015, has been registered by the Minister of Municipal and Intergovernmental Affairs.

In general terms, the purpose of this ST. JOHN'S Development Regulations Amendment No. 620, 2015 is to rezone land at civic number 275 Conception Bay South By Pass Road from the Rural (R) Zone to the Industrial General (IG) Zone. The rezoning is to accommodate the development of a "Transportation and Logistic Park."

This amendment comes 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 amendment may do so at the Department of Planning, Development and Engineering, 3rd Floor, St. John's City Hall during regular business hours.

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

Sept 11

**NOTICE OF REGISTRATION
CITY OF CORNER BROOK
DEVELOPMENT REGULATIONS
AMENDMENTS DR15-05**

TAKE NOTICE that the CITY OF CORNER BROOK Development Regulations Amendment DR15-05, adopted on the 29th of June, 2015, has been registered by the Minister of Municipal and Intergovernmental Affairs.

In general terms, the purpose of Development Regulations Amendment DR15-05 is to add a condition to the Mosaic Residential Use Zone Table in the City of Corner Brook 2012 Development Regulations to give Council discretion to decrease one side yard of a double dwelling, of any category of lot, from 3 metres to 1.2 metres. Currently, both side yards of a double dwelling must be 3 metres.

The CORNER BROOK Development Regulations Amendment DR15-05 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 CORNER BROOK Development Regulations Amendment DR15-05 may do so at City Hall, Corner Brook during normal business hours.

CITY OF CORNER BROOK
Marina Redmond, City Clerk

Sept 11

LANDS ACT

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

NOTICE IS HEREBY given that CLYDE ROSE of Woody Point, Bonne Bay of Newfoundland and Labrador intends to apply to the Department of Municipal and Intergovernmental Affairs, 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 Bonne Bay in the Electoral District of St. Barbe for the purpose of building a wharf and shed and being more particularly described as follows:

*Bounded on the North by waters of Bonne Bay
for a distance of 20 metres;
Bounded on the East by waters of Bonne Bay
for a distance of 6 metres;
Bounded on the South by waters of Bonne Bay
for a distance of 20 metres;
Bounded on the West by Fisherman's Road
for a distance of 6 metres;
and containing an area of
approximately 120 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 Municipal and Intergovernmental Affairs, 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, Corner Brook, NL, A2H 6J8.

c/o Labrador Regional Lands Office, P.O. Box 3014, Station "B", Happy Valley-Goose Bay, NL, A0P 1E0.

For further information on the proposed application, please contact: CLYDE ROSE, Telephone Number: (709) 685-6888.

(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 11

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

NOTICE IS HEREBY given that ROBERT and MELANY TOMYN of Lark Harbour, of Newfoundland and Labrador intends to apply to the Department of Municipal and Intergovernmental Affairs, two months from the publication of this notice, to acquire title, pursuant to Section 7(2) of the said Act, to that piece of Crown land situated within fifteen (15) metres of the waters of Lark Harbour in the Electoral District of Bay of Islands for the purpose of building a residence and being more particularly described as follows:

*Bounded on the North by Bay of Islands
for a distance of 7.7 metres;
Bounded on the East by a shoreline reserve
for a distance of 1.0 metres;
Bounded on the South by property of
Robert and Melany Tomin
for a distance of 8.25 metres;
Bounded on the West by a shoreline reserve
for a distance of 3.0 metres;
and containing an area of
approximately 16 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 Municipal and Intergovernmental Affairs, 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, Corner Brook, NL, A2H 6J8.

c/o Labrador Regional Lands Office, P.O. Box 3014, Station "B", Happy Valley-Goose Bay, NL, A0P 1E0.

For further information on the proposed application, please contact: ROBERT TOMYN, Telephone Number: (306) 980-6506.

(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 11

QUIETING OF TITLES ACT

2105 06G 0091 IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR TRIAL DIVISION (General)

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

NOTICE IS HEREBY given to all parties that PHILLIP BALDWIN and MELODY BALDWIN, of Purcellville, State of Virginia, U.S.A., have applied to the Supreme Court, Trial Division, Grand Bank, to have title to all that piece or parcel of property situate at Port Rexton, in the Province of Newfoundland and Labrador, which property is more particularly described in Schedules "A" and "C" hereto annexed and shown in Schedules "B" and "D" hereto annexed.

ALL BEARINGS aforementioned, for which PHILLIP BALDWIN and MELODY BALDWIN claim to be the owners investigated and for a Declaration that they are the absolute owners in fee simple in possession and the said PHILLIP BALDWIN and MELODY BALDWIN have been ordered to public Notice of Application as required by the above named Act.

All persons having title adverse to the said title claimed by the said PHILLIP BALDWIN and MELODY BALDWIN shall file in the Registry of the Supreme Court of Newfoundland and Labrador, Trial Division, Grand Bank, particulars of such adverse claim and serve the same together with an Affidavit verifying same on the undersigned Solicitors for the Petitioner on or before the 12th day of October, 2015, after which date no party having any claim shall be permitted to file the same or to be heard except by special leave of the Court and subject to such conditions as the Court may deem just.

All such adverse claims shall be investigated then in such manner as the Supreme Court of Newfoundland and Labrador, Trial Division, Grand Bank, may direct.

DATED AT Clarenville, in the Province of Newfoundland and Labrador, this 4th day of August, 2015.

MILLS PITTMAN AND TWYNE
Solicitors for the Applicant
PER: Stacy G. MacDonald

ADDRESS FOR SERVICE:
Suite 201, 111 Manitoba Drive
Clarenville, NL A5A 1K2

Tel: 709-466-2641
Fax: 709-466-7109
E-mail: fandrews@mhplawfirm.com

SCHEDULE "A"

PHILLIP and MELODY BALDWIN
Port Rexton, NL

ALL THAT piece or parcel of land situate and being in the Town of Port Rexton, in the Electoral District of Trinity North abutted and bounded as follows:

THAT IS TO SAY: Beginning at a point on the western limit of formerly Canadian National Railway Right - of - Way now Crown land (15.24 metres wide), the said point having coordinates N 5 360 142.15 metres and E 280 181.00 metres of the Three Degree Modified Transverse Mercator Projection (NAD-83) for the Province of Newfoundland and Labrador;

THENCE along the said eastern limit of formerly Canadian National Railway Right - of - Way now Crown land long the arc of a curve having a radius of two hundred and thirty-two decimal one zero (232.10) metres to a point, the said point being distant eighty-two decimal six seven (82.67) metres as measured on a bearing of south twelve degrees fifty-six minutes thirty seconds west (S12°56'30"W) from the last mentioned point;

THENCE along the eastern limit of a Local Road north forty-three degrees fifty-minutes forty seconds west (N43°50'40"W) thirty-one decimal two five (31.25) metres;

THENCE along the said eastern limit of a Local Road to a point, the said point being distant sixty-four decimal nine seven (64.97) metres as measured on a bearing of north eleven degrees twenty-one minutes forty seconds west (N11°21'40"W) from the last mentioned point;

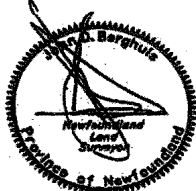
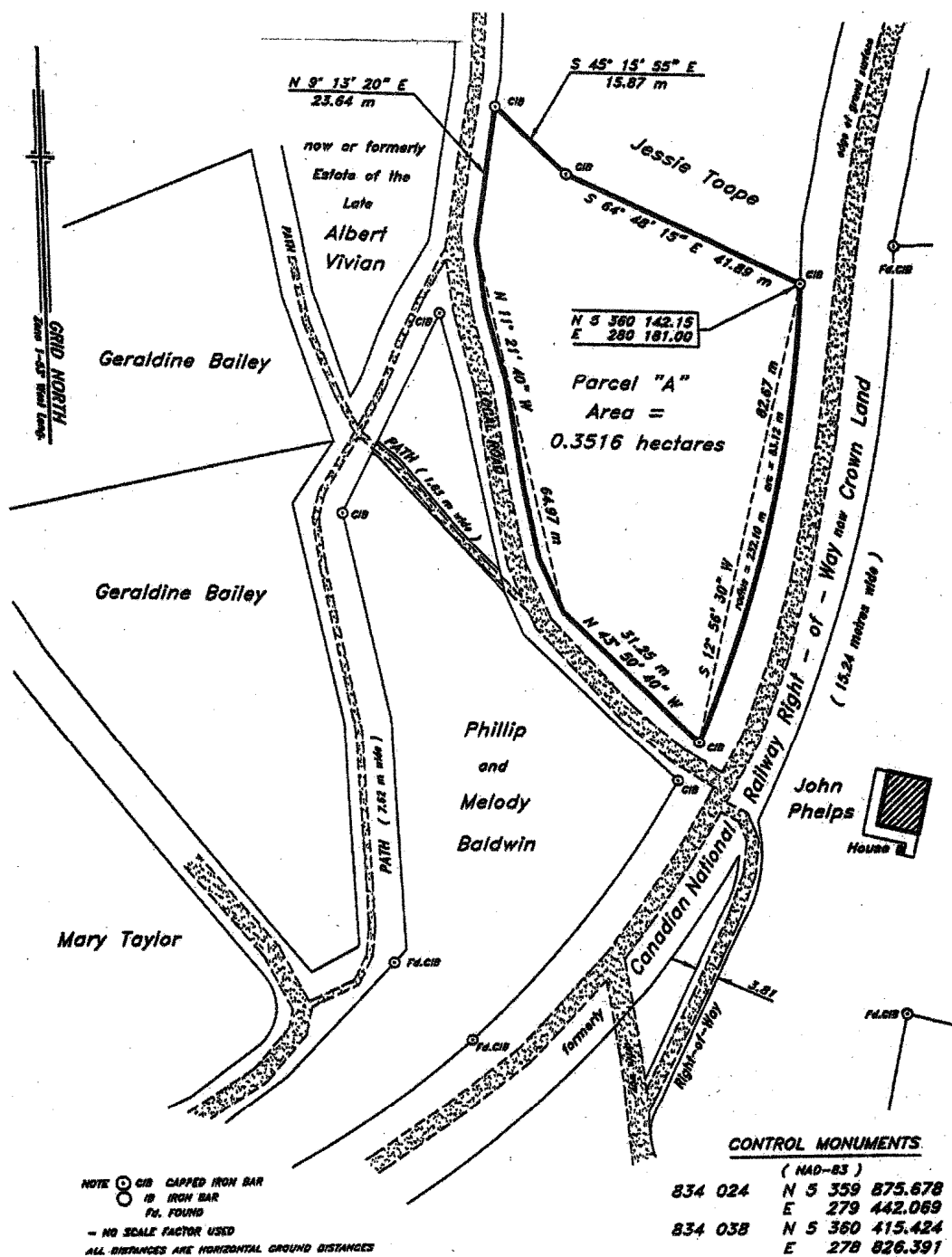
THENCE along the said eastern limit of a Local Road north nine degrees thirteen minutes twenty seconds east (N9°13'20") twenty-three decimal six four (23.64) metres;

THENCE by property of Jessie Toope south forty-five degrees fifteen minutes fifty-five seconds east (S45°15'55"E) fifteen decimal eight seven (15.87) metres, south sixty-four degrees forty-eight minutes fifteen seconds east (S64°48'15"E) forty-one decimal eight nine (41.89) metres, more or less to the point of beginning and containing an area of 0.3516 hectares.

All bearings refer to the above mentioned Projection.

{{(CONTROL SURVEYS LTD.

SCHEDULE "B"



(((CONTROL SURVEYS LTD. NEWFOUNDLAND LAND SURVEYORS 30 MARINE DRIVE, ASA 1A5 - Tel (709) 498-3888 Clareville Newfoundland	
SURVEY ON BEHALF OF PHILLIP and MELODY BALDWIN	
Port Rexton SCALE: 1 : 750 DATE: Revised February 26, 2011	Newfoundland JOB No.: 2010-162 SURVEY BY: J.D.B.

SCHEDULE "C"

PHILLIP and MELODY BALDWIN
Port Rexton, NL
Parcel "B"

ALL THAT piece or parcel of land situate and being in the Town of Port Rexton, in the Electoral District of Trinity North abutted and bounded as follows:

THAT IS TO SAY: Beginning at a point on the western limit of formerly Canadian National Railway Right - of - Way now Crown land (15.24) metres wide) the said point having coordinates N 5 360 054.79 metres and E 280 158.81 metres of the Three Degree Modified Transverse Mercator Projection (NAD-83) for the Province of Newfoundland and Labrador;

THENCE along the said western limit of formerly Canadian National Railway Right - of - Way now Crown land along the arc of a curve having a radius of one hundred and eighty-four decimal five six (184.56) metres to a point, the said point being distant fifty-seven decimal four three (57.43) metres as measured on a bearing of south thirty-eight degrees eleven minutes forty seconds west (S38°11'40"W) from the last mentioned point;

THENCE along the said western limit of formerly Canadian National Railway Right - of - Way now Crown land along the arc of a curve having a radius of one hundred and seventy decimal zero zero (170.00) metres to a point, the said point being distant ninety-seven decimal six eight (97.68) metres as measured on a bearing of sixty-four degrees seventeen minutes zero zero seconds west (S64°17'00"W) from the last mentioned point;

THENCE along the southern limit of Middle Brook Road along the arc of a curve having a radius of twenty-three decimal zero nine (23.09)-metres to a point the said point being distant fourteen decimal four one (14.41) metres as measured on a bearing of north forty-six degrees zero three minutes fifty seconds east (N46°03'50"E) from the last mentioned point;

THENCE along the said southern limit of Middle Book Road north sixty-four degrees fourteen minutes fifty-five seconds east (N64°14'55"E) thirty-eight decimal eight eight (38.88) metres;

THENCE along the said southern limit of Middle Brook Road and the southern limit of a Path (7.62 metres wide) north fifty degrees thirty-six minutes thirty-five seconds east (N52°36'35"E) fifteen decimal two four (15.24) metres, north forty two degrees thirty-six minutes thirty seconds east (N42°36'30"E) twenty-six decimal eight zero (26.80) metres;

THENCE along the southern limit of a Path (7.62 metres wide) north forty-two degrees thirty-five minutes fifty-five seconds east (N42°35'55"E) three decimal zero four (3.04) metres;

THENCE along the eastern limit of a Path (7.62 metres wide) north one degrees twenty-two minutes twenty seconds west (N1°22'20"W) thirty-nine decimal nine three (39.93) metres north ten degrees fifty-six minutes zero five seconds west (N10°56'05"W) thirty-six decimal one five (36.15) metres, north thirty-two degrees zero four minutes ten seconds east (N32°04'10"E) eleven decimal five seven (11.57) metres, north twenty five degrees twenty-seven minutes zero five seconds east (N25°27'05"E) thirty-eight decimal five three (38.53) metres;

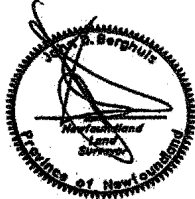
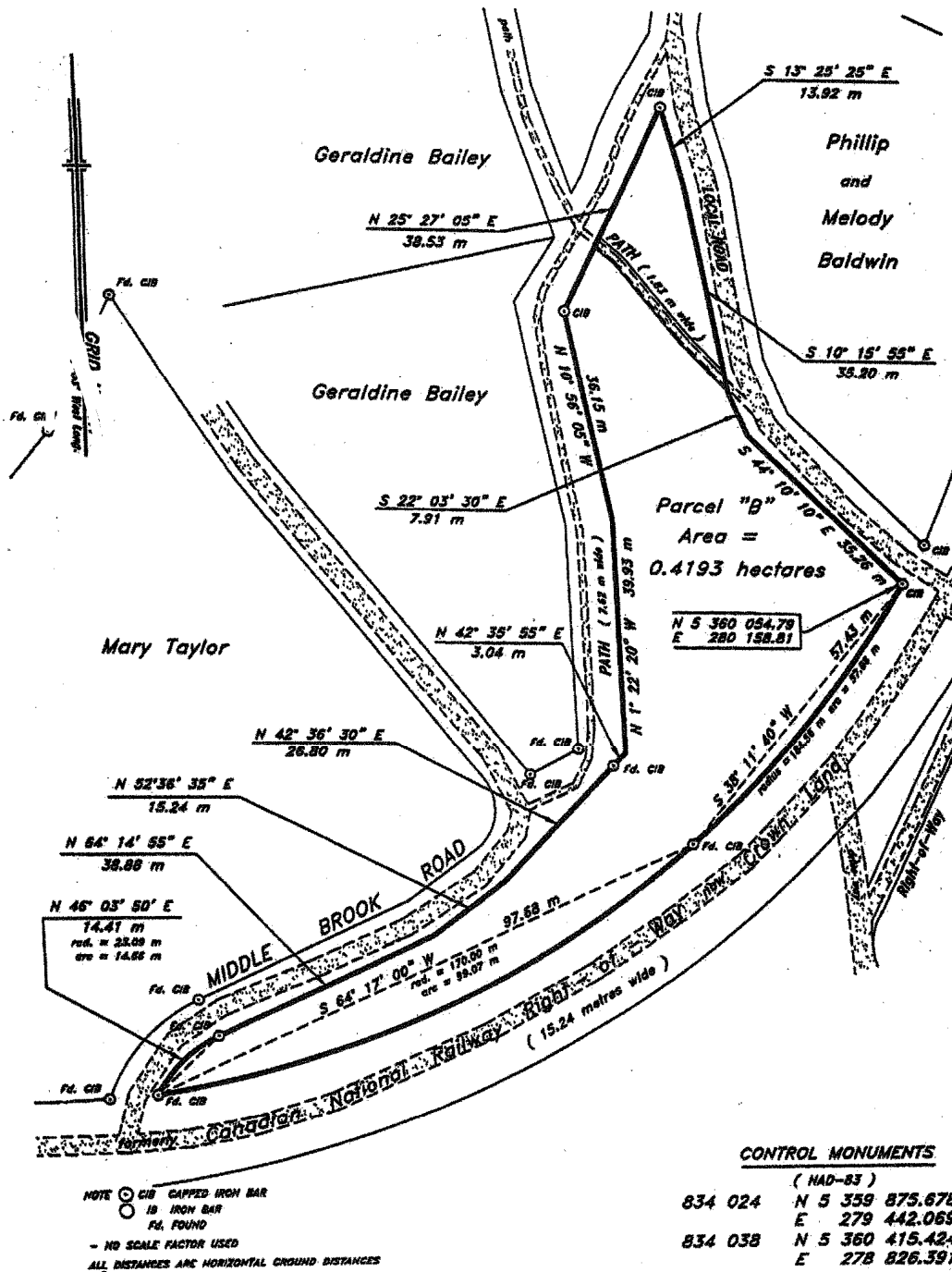
THENCE along the western limit of a Local Road south thirteen degrees twenty-five minutes twenty-five seconds east (S13°25'25"E) thirteen decimal nine two (13.92) metres, south ten degrees fifteen minutes fifty-five seconds east (S10°15'55"E) thirty-five decimal two zero (35.20) metres, south twenty-two degrees zero three minutes thirty seconds east (S22-03-30 E) seven decimal nine one (7.91) metres, south forty-four degrees ten minutes ten seconds east (S44°10'10"E) thirty-five decimal two six (35.26) metres, more or less to the point of beginning and containing an area of 0.4193 hectares.

All bearings refer to the above mentioned Projection.

RESERVING NEVERTHELESS out of the above described piece or parcel of land a Path (1.83 metres wide) extending through the said land as shown on the plan hereto attached.

(((CONTROL SURVEYS LTD.

SCHEDULE "D"



(((CONTROL SURVEYS LTD. NEWFOUNDLAND LAND SURVEYORS 39 MARINE DRIVE, ASA 1M5 - Tel: (709) 468-3588			
Clarenville		Newfoundland	
SURVEY ON BEHALF OF PHILLIP and MELODY BALDWIN			
Port Rexton		Newfoundland	
SCALE: 1 : 750		JOB No.: 2010-162	
DATE: Revised February 26, 2011		SURVEY BY: J.D.B.	

2015 06G 0094
IN THE SUPREME COURT OF
NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION (General)

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

NOTICE IS HEREBY given to all parties that ABEL PELLEY, of the City of Cambridge, in the Province of Ontario, has applied to the Supreme Court, Trial Division, Grand Bank, to have title to all that piece or parcel of property situate at Harcourt, in the Province of Newfoundland and Labrador, which property is more particularly described in Schedule "A" hereto annexed and shown in Schedule "B" hereto annexed.

ALL BEARINGS aforementioned, for which ABEL PELLEY claims to be the owner investigated and for a Declaration that he is the absolute owner in fee simple in possession and the said ABEL PELLEY has been ordered to public Notice of Application as required by the above named Act.

All persons having title adverse to the said title claimed by the said ABEL PELLEY shall file in the Registry of the Supreme Court of Newfoundland and Labrador, Trial Division, Grand Bank, particulars of such adverse claim and serve the same together with an Affidavit verifying same on the undersigned Solicitors for the Petitioner on or before the 12th day of October, 2015, after which date no party having any claim shall be permitted to file the same or to be heard except by special leave of the Court and subject to such conditions as the Court may deem just.

All such adverse claims shall be investigated then in such manner as the Supreme Court of Newfoundland and Labrador, Trial Division, Grand Bank, may direct.

DATED AT Clarenville, in the Province of Newfoundland and Labrador, this 11th day of August, 2015.

MILLS PITTMAN AND TWYNE
Solicitors for the Applicant
PER: Thomas Hutchings

ADDRESS FOR SERVICE:
Suite 201, 111 Manitoba Drive
Clarenville, NL A5A 1K2

Tel: 709-466-2641
Fax: 709-466-7109
E-mail: fandrews@clarenvillelawyers.com

SCHEDULE "A"

ESTATE of CORNELIUS PELLEY
Harcourt, NL
Job No. 12-060-2

ALL THAT piece or parcel of land situate at Harcourt, in the Electoral District of Trinity North, in the Province of Newfoundland and Labrador, abutted and bounded as follows, that is to say:

BEGINNING at a point, the said point having Grid Coordinates of North 5 339 565.588 metres and East 241 017.543 metres; as referenced to the meridian of (53) degrees west longitude of the Three Degree Transverse Mercator Projection (NAD83-1998 adjustment).

THENCE running by land granted to John Pelley, as registered at the Registry of Crown Lands in Volume 70 at Folio 83, now claimed by the Estate of Nathan Pelley, north (58) degrees (43) minutes (00) seconds east, a distance of (475.000) metres;

THENCE running along the westerly limit of Smith Sound Road, (20) metres wide, following the arc of a curve having a radius of (400.000) metres, for an arc distance of (38.894) metres, to a point being chord distant (38.879) metres as measured on a bearing of south (29) degrees (50) minutes (56) seconds east from the previously described point;

THENCE south (32) degrees (38) minutes (04) seconds east, a distance of (8.268) metres;

THENCE running by Crown land, south (44) degrees (59) minutes (08) seconds west, a distance of (444.000) metres;

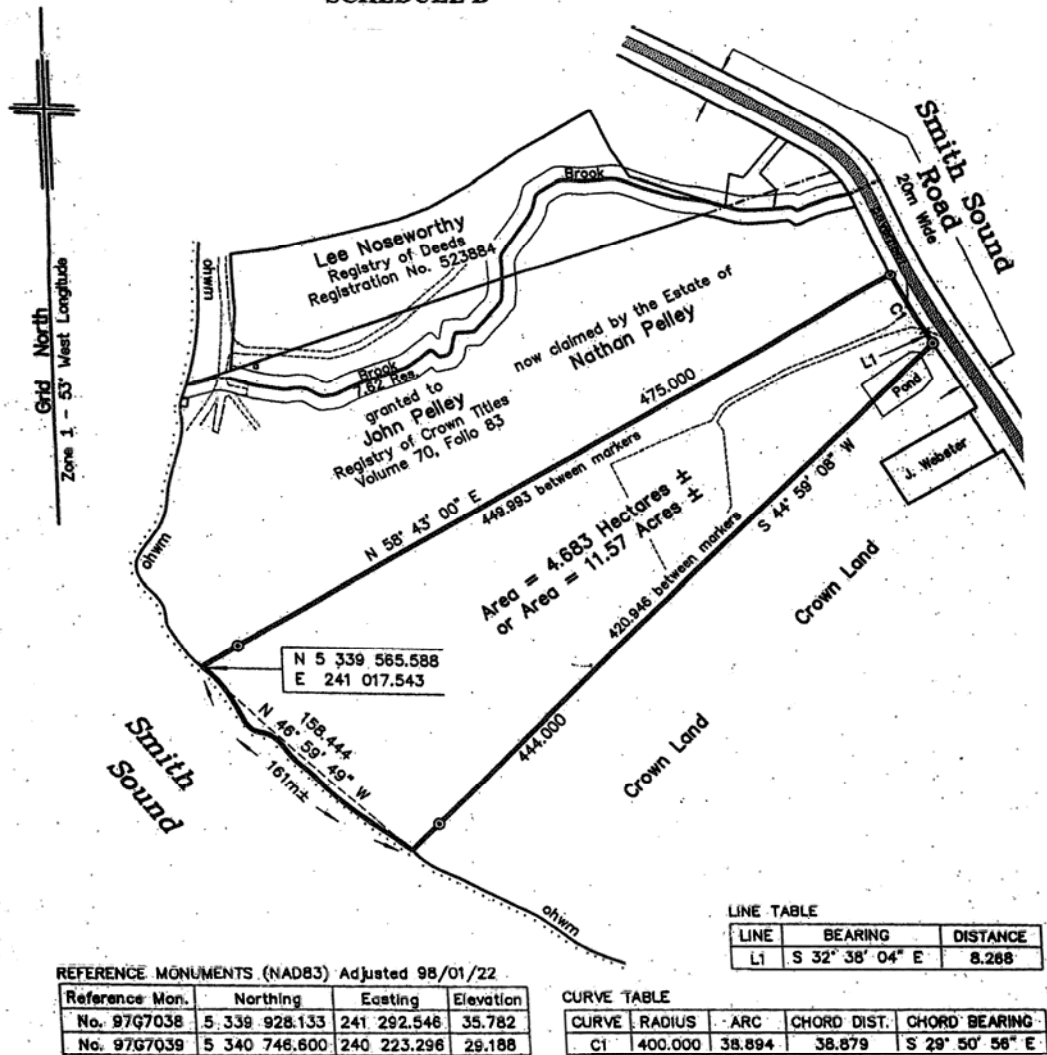
THENCE running along the ordinary high water mark of Smith Sound, following the sinuosities thereof for a distance of (161) metres, more or less, to the point of beginning, the said point being distant (158.444) metres as measured on a bearing of north (46) degrees (59) minutes (49) seconds west from the previously described point and being more particularly shown and delineated on the attached plan;

CONTAINING an area of (4.683) hectares, more or less;

ALL BEARINGS being referred to the meridian of (53) degrees west longitude of the Three Degree Transverse Mercator Projection. (NAD83)

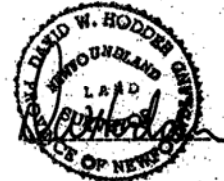
Copyright "2012", D. W. Hodder, NLS Barrow & Hodder Surveys Ltd.

SCHEDULE B



Note:

1. fd = Found
○ = Iron Pin
⊙ = Capped Iron Pin
ohwm = Ordinary High Water Mark
2. Starting point derived from Real Time Kinematic GPS observations relative to Coordinate Monument No. 97G7039.
3. Copyright 2012, D. W. Hodder, NLS
Barrow & Hodder Surveys Ltd.



Barrow & Hodder
Surveys Ltd.

PLAN SHOWING LAND SURVEYED FOR
Estate of Cornelius Pelley
Harcourt, NL

Scale — 1 : 3000

Job No. 12-060-2

Date — 26 SEP 201

TRUSTEE ACT

ESTATE NOTICE

IN THE ESTATE of MARIAN EDMUNDS, of Happy Valley-Goose Bay, Newfoundland and Labrador, Deceased.

All persons claiming to be creditors of, or who have any claims or demands upon or affecting, the Estate of the late MARIAN EDMUNDS are hereby requested to send particulars of same in writing, duly attested, to the undersigned Solicitors for the Administrator of the Estate on or before the 11th day of October, 2015, after which date the Administrator will distribute the Estate, having regard only to the claims of which the Administrator has received notice.

DATED this 11th day of September, 2015.

POOLE ALTHOUSE
Solicitors for the Administrator
PER: Margaret C. Hepditch

ADDRESS FOR SERVICE:
49-51 Park Street
Corner Brook, NL A2H 2X1

Tel: (709) 634-3136
Fax: (709) 634-8247/9815

Sept 11

ESTATE NOTICE

IN THE MATTER of the Estate of WILLIAM HAWCO, Late of Chapel's Cove, in the Province of Newfoundland and Labrador, Gentleman, Deceased.

All persons claiming to be creditors of, or who have any claims or demands upon or affecting the Estate of the above named WILLIAM HAWCO, Deceased, are hereby requested to send particulars of same, in writing, duly attested, to the undersigned Solicitors for the Estate of the said WILLIAM HAWCO on or before the 31st day of September, 2015, after which date the Executor(s) will proceed to distribute the said Estate, having regard only to the claims of which they then shall have had notice.

DATED at St. John's, aforesaid, this 3rd day of September, 2015.

WELLS PLC INC.
Solicitors for the Estate of
WILLIAM HAWCO
PER: Graham A. Wells, Q.C., J.D., T.E.P.

ADDRESS FOR SERVICE:

P.O. Box 26111
10 Freshwater Road
St. John's, NL A1E 0A5

Tel: (709) 739-7768
Fax: (709) 739-4434

Sept 11

ESTATE NOTICE

IN THE MATTER OF the Estate of EILEEN MERCER Late of Blaketown, in the Province of Newfoundland and Labrador, Gentlewoman, Deceased

All persons claiming to be creditors of, or who have any claims or demands upon or affecting the Estate of the above named EILEEN MERCER, Deceased, are hereby requested to send particulars of same, in writing, duly attested, to the undersigned (Solicitors for the Co-Executors of the Estate of the said EILEEN MERCER on or before the 31st day of September, 2015, after which date the Co-Executors will proceed to distribute the said Estate, having regard only to the claims of which they then shall have had notice.

DATED at St. John's, aforesaid, this 3rd day of September, 2015.

WELLS PLC Inc.
Solicitors for the Co-Executors
for the Estate of EILEEN MERCER
PER: Graham A. Wells, Q.C., J.D., T.E.P.

ADDRESS FOR SERVICE:

P.O. Box 26111
10 Freshwater Road
St. John's, NL A1E 0A5

Tel: (709) 739-7768
Fax: (709) 739-4434

Sept 11



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

Vol. 90

ST. JOHN'S, FRIDAY, SEPTEMBER 11, 2015

No. 37

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 45/15

NLR 68/15

NLR 69/15

NLR 70/15

NLR 71/15

NLR 72/15



NEWFOUNDLAND AND LABRADOR REGULATION 45/15 - REPRINT

Access to Information and Protection of Privacy Regulations
under the
Access to Information and Protection of Privacy Act, 2015
(O.C. 2015-137)

(Filed July 16, 2015)

Under the authority of section 116 of the *Access to Information and Protection of Privacy Act, 2015*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, July 9, 2015.

Julia Mullaley
Clerk of the Executive Council

REGULATIONS

Analysis

- | | |
|-----------------------------------|-------------------------------------|
| 1. Short title | 4. Disclosure of health information |
| 2. Definitions | 5. Repeal |
| 3. Non-application of regulations | |

Short title

1. These regulations may be cited as the *Access to Information and Protection of Privacy Regulations*.

Definitions

2. In these regulations

- (a) "Act" means the *Access to Information and Protection of Privacy Act, 2015*; and
- (b) "health care provider" means a medical practitioner, psychologist, registered nurse, nurse practitioner or social worker.

Non-application of
regulations

3. Section 4 does not apply where

- (a) the public body referred to in that section is a custodian within the meaning of the *Personal Health Information Act*; and
- (b) the information referred to in that section is personal health information within the meaning of the *Personal Health Information Act*.

Disclosure of health
information

4. (1) For the purpose of section 37 of the Act, the head of a public body may disclose information relating to the mental or physical health of an applicant or other person to a health care provider for an opinion on whether disclosure of the information could reasonably be expected to result in grave and immediate harm to the safety or mental or physical health of the applicant or the other person.

(2) A health care provider to whom information is disclosed under subsection (1) shall not disclose or use the information except for the purpose of that subsection, and shall return any records disclosed to him or her to the head of the public body after giving an opinion.

(3) The head of a public body may require a health care provider to whom information is disclosed under subsection (1) to

- (a) enter into a confidentiality agreement; or
- (b) examine the record containing the information on the premises of the public body.

(4) The head of a public body may recommend that an applicant who makes a request for access to a record containing information relating to the applicant's mental or physical health should not examine the record until a health care provider or a member of the applicant's family is present to assist the applicant in understanding the information in the record.

Repeal

**5. The *Access to Information Regulations*, Newfoundland and
Labrador Regulation 11/07, are repealed.**

(Reprinted due to an error in the original)

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NEWFOUNDLAND AND LABRADOR REGULATION 68/15

Revenue Administration Regulations (Amendment)
under the
Revenue Administration Act
(O.C. 2015-183)

(Filed September 8, 2015)

Under the authority of sections 109 and 113 of the *Revenue Administration Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, September 4, 2015.

Julia Mullaley
Clerk of the Executive Council

REGULATIONS

Analysis

- | | |
|-----------------------------|-----------------|
| 1. S.58 Amdt.
Commission | 2. Commencement |
|-----------------------------|-----------------|

NLR 73/11
as amended

1. Section 58 of the *Revenue Administration Regulations* is repealed and the following substituted:

Commission

58. Notwithstanding section 3, for collecting and forwarding the tax imposed by the Act, an operator shall be allowed remuneration in the form of a commission equal to the tax collected and the commission may be deducted from the remittance required by the Act.

Commencement

2. These regulations are considered to have come into force on July 1, 2015.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 69/15**

*Plebiscite Respecting the Preferred Municipal Plan
for the Town of Witless Bay Order, 2015*
under the
Municipal Affairs Act

(Filed September 9, 2015)

Under the authority of section 7 of the *Municipal Affairs Act*, I
make the following Order.

Dated at St. John's, September 9, 2015.

Keith Hutchings
Minister of Municipal and Intergovernmental Affairs

ORDER

Analysis

- | | |
|-------------------|--------------------------------|
| 1. Short title | 4. Timing and location of vote |
| 2. Definition | 5. Ballot |
| 3. Administration | 6. Repeal |

Short title **1.** This Order may be cited as the *Plebiscite Respecting the Preferred Municipal Plan for the Town of Witless Bay Order, 2015*.

Definition **2.** In this Order, "Town of Witless Bay" means the town as described in the "*Town of Witless Bay Order*" under the *Municipalities Act, 1999*.

Administration **3.** The following people are appointed for the purpose of administering the holding of the plebiscite referred to in this Order:

*Plebiscite Respecting the Preferred Municipal Plan
for the Town of Witless Bay Order, 2015*

69/15

- (a) Dan Noseworthy, Returning Officer;
- (b) Lori Evoy, Deputy Returning Officer;
- (c) Matthew Byrne, Poll Clerk; and
- (d) Trina Keough-Hackett, Poll Clerk.

Timing and location
of vote

4. The vote shall take place from 8:00 a.m. to 8:00 p.m. on Thursday, September 17, 2015 at the Southern Shore Arena.

Ballot

5. The ballot on which the plebiscite shall be conducted shall be in the following form and shall be marked "Ballot":

Ballot

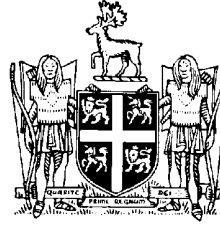
Do you select Version A or Version B
as your preferred municipal plan for
the Town of Witless Bay?

Version A
Dated May, 2013 _____
Version B
Dated December, 2014 _____

Repeal

6. The *Plebiscite Respecting the Preferred Municipal Plan for the Town of Witless Bay Order*, Newfoundland and Labrador Regulation 67/15 is repealed.

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NEWFOUNDLAND AND LABRADOR REGULATION 70/15

Plebiscite Regulations under the *Municipal Affairs Act*

(Filed September 9, 2015)

Under the authority of section 9 of the *Municipal Affairs Act*, I make the following regulations.

Dated at St. John's, September 9, 2015.

Keith Hutchings
Minister of Municipal and Intergovernmental Affairs

REGULATIONS

Analysis

- | | |
|------------------------------------|---|
| 1. Short title | 14. Confirmation of name |
| 2. Definitions | 15. Voting |
| 3. Conduct of plebiscite under Act | 16. Removal of ballots |
| 4. Notice of plebiscite | 17. Spoiled ballots |
| 5. Availability of documents | 18. Counting of ballots |
| 6. Influencing voters | 19. Rejected ballots |
| 7. Remuneration of officers | 20. Account of ballots |
| 8. Ballots and other materials | 21. Statement of poll |
| 9. Advance poll | 22. Disposition of materials and delivery of ballot box |
| 10. Voting by proxy | 23. Declaration of result |
| 11. Oath or affirmation of voters | 24. Tie vote |
| 12. Opening and close of poll | 25. Recount |
| 13. Ballot box exhibited | 26. Retention of ballot boxes |

Short title

1. These regulations may be cited as the *Plebiscite Regulations*.

Definitions

2. In these regulations

- (a) "Act" means the *Municipal Affairs Act*;
- (b) "impeditive voter" means a voter who
 - (i) is an officer, or
 - (ii) has reason to believe that he or she will be unable to vote on election day;
- (c) "officer" means a returning officer, a deputy returning officer, poll clerk, scrutineer or other official appointed or employed by the returning officer to assist in the conduct of a vote in a plebiscite under these regulations; and
- (d) "order" means an order directing that a plebiscite be held made by the minister under section 7 of the Act.

Conduct of
plebiscite under Act

3. (1) Where the minister orders that a plebiscite be held under the authority of section 7 of the Act, that plebiscite shall be conducted in accordance with these regulations.

(2) In accordance with subsection 7(2) of the Act, the results of a plebiscite conducted in accordance with these regulations are not binding on the minister.

Notice of plebiscite

4. (1) Notice of a plebiscite shall be given in accordance with this section at least one week before a vote is to be taken.

(2) The notice shall contain the following information:

- (a) the question to be considered;
- (b) where documents containing information respecting the matter to be voted upon may be obtained; and
- (c) the date, time and place of the vote.

(3) Notice of a plebiscite shall be given in the following manner:

(a) the notice shall be posted in a conspicuous place in the area in which the plebiscite is to be held; and

(b) the notice shall be sent by mail to all residents of the area in which the plebiscite is to be held.

(4) In addition to subsection (3), notice of a plebiscite may be

(a) published in a newspaper of general circulation in the area in which the plebiscite is to be held, if there is one;

(b) provided electronically to residents of the area by posting to a website of the area in which the plebiscite is to be held or by the department or in another manner so that residents may have access to it.

Availability of documents

5. (1) Any documents which relate to the question to be determined in a plebiscite ordered by the minister under section 7 of the Act shall be kept on file with the minister.

(2) Documents referred to in subsection (1) shall be accessible by the public at all reasonable times and may be kept electronically.

Influencing voters

6. On voting day, a person shall not be present for the purpose of influencing voters or distribute or cause to have distributed materials for that purpose in an area that is less than 30 metres from the entrance to a polling station.

Remuneration of officers

7. (1) A public servant appointed as an officer under the authority of these regulations shall not receive remuneration in excess of that received as a public servant.

(2) An officer appointed under the authority of these regulations who is not a public servant shall receive remuneration in accordance with the rates set by the chief electoral office.

Ballots and other materials

8. Ballots and other materials to be used in the holding of a plebiscite shall be clear on their face and shall

(a) be of a size and shape determined by the minister;

(b) contain the information required by voters to express the voter's choice of options in the plebiscite.

Advance poll

9. Where required by the minister, an advance poll may be conducted in the manner the minister may determine.

Voting by proxy

10. (1) An impeditive voter may, by an application to an officer in the required form, authorize another person who is a qualified voter in the same area defined in an order to vote on his or her behalf in a specified plebiscite in that area.

(2) An application under subsection (1) shall contain declarations in the required form verifying

(a) that the applicant is an impeditive voter and qualified to vote in a polling division of the area defined in the order in the plebiscite in respect of which the application is made; and

(b) that the proxy designated in the application is a voter qualified to vote in the same area defined in the order and same plebiscite as the applicant.

(3) An application required under subsection (1) shall only be provided by an officer to the impeditive voter or the person designated by the impeditive voter as his or her proxy.

(4) An application under subsection (1) shall be given to the officer by the impeditive voter or his or her designated proxy not later than 4:00 p.m. on the day immediately before the day of the vote in respect of which it is made.

(5) Where satisfied that the requirements of this section have been complied with, the officer shall issue a proxy certificate entitling the designated person to vote at the polling division and area defined in the order on behalf of the impeditive voter for whom the proxy is designated.

(6) No more than one proxy certificate may be issued for any one impeditive voter in respect of a plebiscite, except where the proxy dies or becomes unable to cast a vote because of illness or incapacity.

(7) A person may not be proxy for more than one impeditive voter at any one plebiscite.

(8) Applications, declarations, proxy certificates and other documents required under this section shall be in the required form.

(9) Where a person produces to an officer a proxy certificate issued under this section, the person may vote for the impeditive voter with respect to whom the certificate is issued.

Oath or affirmation
of voters

11. (1) Where required by an officer, a voter shall, before voting, take an oath or affirmation in the form required by the minister, which shall be administered by the returning officer or deputy returning officer.

(2) A voter shall, where his or her name is not on the voting list and when required by an officer, produce a government issued identification card and a letter or other corroborating proof of the person's place of residence in the area defined in the order.

(3) A voter who refuses to take an oath or affirmation under subsection (1) or who refuses to produce proof of residence referred to in subsection (2) shall not be permitted to vote.

Opening and close
of poll

12. (1) A returning officer or deputy returning officer shall, on voting day, open the polling booth assigned to him or her at 8:00 a.m. and shall keep that booth open until 8:00 p.m. and during that time shall receive the votes of all voters qualified to vote at the polling booth.

(2) Where the start of voting in accordance with subsection (1) is delayed, the returning officer shall extend the time for the close of the voting but the extension shall not permit voting for a longer length of time than would have been permitted had voting not been delayed.

(3) Where at the time set for the close of voting under subsection (1), there are voters waiting or in line outside the polling station in order to vote, those voters are entitled to vote and the polling booth shall remain open until their votes have been received.

(4) Voters other than those referred to in subsection (3) are not entitled to vote after the time set for the close of voting.

(5) The decision of the returning officer or deputy returning officer in charge of the polling booth as to who is or is not entitled to vote under subsection (3) is final and may not be appealed.

(6) A presiding officer shall notify the returning officer as soon as possible of a requirement for an extension of voting under this section.

Ballot box exhibited

13. At the hour fixed for opening the poll the returning officer or a deputy returning officer shall

- (a) show the ballot box to the officers present within the polling station, so that they may see that the ballot box is empty; and
- (b) then immediately seal the ballot box, place it in view for the reception of ballots and keep it sealed until voting is concluded.

Confirmation of name

14. (1) When a voter presents himself or herself at the polling station for the purpose of voting, he or she shall state his or her name and civic address.

(2) The returning officer or deputy returning officer shall ascertain if the name of the

- (a) voter is entered upon the list of voters for the polling station in which he or she is presiding; or
- (b) person is not upon the list, that the person is entitled to take the required oath or affirmation in the required form.

(3) The poll clerk shall enter in the poll book the name of the voter, but shall not enter in the poll book or elsewhere anything to indicate the choice of options for which the voter votes.

Voting

15. (1) Upon receiving a ballot, a voter shall

- (a) immediately proceed to the assigned polling booth and shall then mark his or her ballot by marking an X on the part of the ballot within the division containing the option for which he or she intends to vote;
- (b) then fold the ballot so as to conceal the option and the marks upon the ballot; and

(c) without delay and without showing or displaying the ballot so as to make known the option for which he or she voted, deposit the ballot in the ballot box.

(2) A voter shall immediately leave the polling station after he or she has voted.

(3) While a voter is in the process of marking his or her ballot, no person shall be in a position from which he or she can see how that voter marks his or her ballot.

Removal of ballots

16. (1) A person who has received a ballot shall not remove the ballot from the polling station.

(2) A person who has received a ballot and leaves the polling station without depositing it in the assigned ballot box forfeits his or her right to vote at the plebiscite.

(3) The poll clerk shall make an entry in the poll book in the column for remarks to the effect that the person received a ballot but took it out of the polling station, returned the ballot or declined to vote.

(4) Where a person has declined to vote, the poll clerk shall immediately write the word "declined" upon the ballot and shall return it to the returning officer or the deputy returning officer.

Spoiled ballots

17. (1) A voter who has inadvertently spoiled his or her ballot is, upon returning it to the returning officer or deputy returning officer, entitled to receive another ballot.

(2) The returning officer or deputy returning officer shall write the word "cancelled" upon the ballot returned to him or her and shall retain it.

Counting of ballots

18. (1) Immediately after the close of the poll, the returning officer or deputy returning officer shall

(a) place all the cancelled, declined and unused ballots in an envelope and seal it; and

(b) count the number of voters whose names appear in the poll book and sign the following certificate, which shall be

entered in the poll book on the line immediately below the name of the voter who voted last:

"I certify that the number of voters who voted in the plebiscite in this polling booth is (stating the number in words) and that A.B. was the last person who voted at this polling booth."

(2) Immediately after the certificate required by subsection (1) has been signed by him or her, the returning officer, or deputy returning officer, in the presence and in full view of the poll clerk, shall open the ballot box and count the total number of ballots cast and the number of votes for each option, giving full opportunity to those present to examine each ballot.

Rejected ballots

19. (1) When counting the votes, the returning officer, or deputy returning officer, shall reject all ballots

- (a) that have given votes for more options than there are to be chosen; or
- (b) upon which there is writing, a mark or that have been torn, defaced or otherwise dealt with by the voter in a manner, that would permit that voter to be identified.

(2) A ballot shall not be rejected under subsection (1) by reason only that it has been marked with a writing instrument other than a black lead pencil or it has a mark other than an X, as long as the mark does not identify the voter.

(3) A ballot shall not be rejected in its entirety only because one or more of the votes on the ballot is rejected and in that case the votes not rejected shall be counted.

Account of ballots

20. (1) All ballots except those rejected shall be counted and an account shall be kept of the number of votes for each option.

(2) All the ballots shall be put into separate envelopes as follows:

- (a) all the used ballots that have not been objected to and have been counted;

(b) all the used ballots that have been objected to in whole or in part and have been counted, in whole or in part, all rejected ballots and all ballots that are used but unmarked; and

(c) all the cancelled, declined and unused ballots.

(3) Each envelope shall be endorsed so as to indicate its contents and the polling station to which it relates and shall be sealed by the returning officer or a deputy returning officer.

Statement of poll

21. (1) The returning officer or deputy returning officer shall make out a statement in duplicate as to the number of

(a) ballots received;

(b) ballots cast;

(c) ballots that have been objected to in whole or in part and have been counted in whole or in part;

(d) used ballots that have not been objected to and have been counted;

(e) ballots that have been rejected in whole or in part and have not been counted;

(f) cancelled ballots, ballots used but not marked, declined ballots, ballots taken from the polling booth and unused ballots; and

(g) votes for each option.

(2) The statement shall be signed by the returning officer, or the deputy returning officer, and the poll clerk.

(3) One statement shall be attached to the poll book and the other, in the case of a deputy returning officer, shall be delivered by him or her to the place designated by the returning officer.

Disposition of materials and delivery of ballot box

22. (1) The poll book, the list of voters, the envelopes containing the ballots, and all other materials related to the plebiscite, except for the returning officer statement referred to in subsection 21(3) shall then be placed in the ballot box.

(2) The returning officer or deputy returning officer shall, after the requirements of subsection (1) have been carried out, immediately seal the ballot box and in the case of a deputy returning officer shall immediately deliver it and the statements referred to in subsection 21(3) to the place designated by the returning officer.

(3) Where a deputy returning officer is unable to deliver the ballot box, another officer designated by the deputy returning officer shall immediately deliver the ballot box and the statement to the place designated by the returning officer.

(4) The returning officer shall remain available on the evening of voting day until all the ballot boxes and the statements referred to in subsection 21(3) have been returned.

Declaration of result

23. (1) After he or she has received the ballot boxes and statements of the number of votes cast at each polling booth, the returning officer shall

- (a) without opening the ballot boxes, add up from the statements he or she has received the number of votes received for each option;
- (b) not later than noon on the day following the vote, publicly declare the results of the vote; and
- (c) not later than noon on the day following the vote put up in some conspicuous place a statement signed by him or her showing the number of votes received for each option.

(2) The returning officer may, after he or she has received statements from polling booths and before publicly declaring the result of the vote, indicate to the public the number of votes received for each option.

Tie vote

24. Where, immediately upon the counting of the votes, all options have an equal number of votes, the returning officer shall immediately

- (a) write the options on separate, identical pieces of paper;
- (b) fold the sheets of paper in an identical manner so that the options are concealed;

(c) deposit the sheets into a receptacle and withdraw one sheet;
and

(d) declare that the option that appears on the sheet so
withdrawn to be the option preferred by most voters.

Recount

25. The minister may, in his or her discretion, order that a recount
of votes be made.

Retention of ballot
boxes

26. (1) Unless it is otherwise ordered by a court or by the minister,
the ballot boxes shall remain sealed as received by the returning officer
and shall be retained by him or her for a period of 30 days after the
plebiscite.

(2) When the time has elapsed under subsection (1), the ballot
boxes shall be unsealed and the ballots and other associated material
shall be destroyed as authorized by the returning officer.

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NEWFOUNDLAND AND LABRADOR REGULATION 71/15

Wabush 3 Open Pit Mine Project Undertaking Release Order
under the
Environmental Protection Act
(O.C. 2015-185)

(Filed September 10, 2015)

Under the authority of paragraph 67(3)(a) of the *Environmental Protection Act*, the Lieutenant-Governor in Council, on the recommendation of the Minister of Environment and Conservation, makes the following Order.

Dated at St. John's, September 10, 2015.

Julia Mullaley
Clerk of the Executive Council

ORDER

Analysis

- | | |
|--|------------------------------------|
| 1. Short title | 4. Terms and conditions of release |
| 2. Definition | |
| 3. Release from environmental assessment | |

Short title

1. This Order may be cited as the *Wabush 3 Open Pit Mine Project Undertaking Release Order*.

Definition

2. In this Order, "IOC" means the proponent, the Iron Ore Company of Canada.

Release from
environmental
assessment

3. The Wabush 3 Open Pit Mine Project by the IOC is released from environmental assessment.

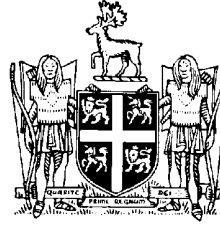
Terms and
conditions of
release

4. The release of the Wabush 3 Open Pit Mine Project from environmental assessment under section 3 is subject to the following terms and conditions:

- (a) IOC shall adhere to all mitigation, monitoring and commitments stated in the Environmental Impact Statement submitted August 8, 2014 and the Environmental Impact Statement amendment submitted March 3, 2015;
- (b) IOC shall prepare a benefits plan to the satisfaction of the Minister of Natural Resources before beginning site development activities, and IOC shall be bound by that benefits plan;
- (c) IOC shall prepare and submit a gender equity and diversity plan to the satisfaction of the Minister Responsible for the Status of Women, the Minister of Seniors, Wellness and Social Development and the Minister of Natural Resources before beginning site development activities, and IOC shall be bound by that gender equity and diversity plan;
- (d) IOC shall prepare and submit environmental effects monitoring plans, in consultation with applicable divisions of the departments of the government of the province, and submit them to the Minister of Environment and Conservation, and receive the minister's approval for the environmental effects monitoring plans, before the start of any site specific construction;
- (e) the environmental effects monitoring plans referred to in paragraph (d) shall cover the following valued ecosystem components and be developed to monitor effects as a result of the Wabush 3 Open Pit Mine Project and to ensure that any changes to existing baseline as a result of it are document and mitigated against:
 - (i) water resources,
 - (ii) air quality, and

- (iii) noise and vibration;
- (f) IOC shall prepare an annual report of the results of the environmental effects monitoring plan required under paragraph (d) obtained at all monitoring sites and shall make the report results available publicly;
- (g) IOC shall enter into a memorandum of agreement with the Department of Environment and Conservation, Water Resources Management Division, for the installation of a real time water quality/quantity monitoring network to monitor impacts on flow and water quality in and around the proposed mining project;
- (h) the memorandum of agreement referred to in paragraph (g) shall be signed and the network installed before the start of site development activities, and all costs shall be borne by IOC;
- (i) IOC shall prepare and submit an environmental protection plan for all applicable construction and operation activities to the Minister of Environment and Conservation for approval before the start of any site specific construction; and
- (j) the environmental protection plan referred to in paragraph (i) shall describe the environmental protection and mitigation measures that will be applied throughout the life of the Wabush 3 Open Pit Mine Project to avoid or minimize potential negative effects on the environment associated with that project.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 72/15**

Registered Nurses Regulations (Amendment)
under the
Registered Nurses Act, 2008

(Filed September 10, 2015)

Under the authority of section 11 of the *Registered Nurses Act, 2008*, the Council of the Association of Registered Nurses of Newfoundland and Labrador, with the approval of the Minister of Health and Community Services, makes the following regulations.

Dated at St. John's, September 9, 2015.

Regina Coady
President
Council of the Association of Registered Nurses
of Newfoundland and Labrador

Steve Kent
Minister of Health and Community Services

REGULATIONS

Analysis

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. S.6 Amdt.
Interim licence 2. S.7 Amdt.
Exam failure-registered nurse | <ol style="list-style-type: none"> 3. S.19 R&S
Conditions and restrictions |
|--|---|

NLR 66/13
as amended

1. Subsection 6(2) of the *Registered Nurses Regulations* is repealed and the following substituted:

(2) Where a person who has not written the registered nurse examination is granted an interim licence he or she shall write the exam within 4 months from the date of issuance of the interim licence or another time approved by the council.

2. Subsection 7(1) of the regulations is repealed and the following substituted:

Exam failure-
registered nurse

7. (1) Where a person fails a first writing of the approved registered nurse examination his or her interim licence shall be revoked but he or she may remain registered on the provisional register and may be granted a further interim licence subject to the conditions and restrictions determined by the council.

(1.1) Where a person fails a second writing of the approved registered nurse examination his or her interim licence granted under subsection (1) shall be revoked but he or she may remain registered on the provisional register.

3. Section 19 of the regulations is repealed and the following substituted:

Conditions and
restrictions

19. (1) The council may attach those conditions and restrictions to a registration, a licence or an interim licence that the council considers appropriate.

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

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Access to Information and Protection of Privacy Regulations	NLR 45/15	Reprint Original Publication Jul 17/15, p 365	Sept 11/15 p. 633
Environment Protection Act			
Wabush 3 Open Pit Mine Project Undertaking Release Order	NLR 71/15	New Extraordinary Gazette Sept 10/15	Sept 11/15 p. 653
Municipal Affairs Act			
Plebiscite Respecting the Preferred Municipal Plan for the Town of Witless Bay Order, 2015	NLR 69/15	R&S NLR 67/15 Extraordinary Gazette Sept 9/15	Sept 11/15 p. 639
Plebiscite Regulations	NLR 70/15	New Extraordinary Gazette Sept 9/15	Sept 11/15 p. 641
Registered Nurses Act, 2008			
Registered Nurses Regulations (Amdt.)	NLR 72/15	Amends NLR 66/13 S.6 Amdt. S.7 Amdt. S.19 R&S	Sept 11/15 p. 657
Revenue Administration Act			
Revenue Administration Regulations (Amdt.)	NLR 68/15	Amends NLR 73/11 S.58 Amdt.	Sept 11/15 p. 637

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The Newfoundland and Labrador Gazette

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Trustee Act - Estate Notice - 1 week	\$33.00	\$4.29	\$37.29
Trustee Act - Estate Notice - 2 weeks	\$59.40	\$7.72	\$67.12
Trustee Act - Estate Notice - 3 weeks	\$86.90	\$11.30	\$98.20
Trustee Act - Estate Notice - 4 weeks	\$113.30	\$14.73	\$128.03

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