

THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 91	ST. JOHN'S, FRIDAY, APRIL 29, 2016	No. 17
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MINERAL ACT

NOTICE

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

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

Mineral License	020824M
Held by	7980736 Canada Inc.
Situate near	Harmsworth Steady, Central NL
On map sheet	12A/10

Mineral License	023222M
Held by	Lush, Tom
Situate near	Glenwood, Central NL
On map sheet	02D/15, 02E/02

Mineral License	009256M
Held by	Gordon, Troy
Situate near	Hinds Brook, Central NL
On map sheet	12H/03

Mineral License	015983M
Held by	Crocker Sr., Paul
Situate near	Boxey Point Promontory, Southern NL
On map sheet	01M/05

Mineral License	011821M
Held by	Manitor Minerals Inc.
Situate near	Springdale, Central NL
On map sheet	12H/09

Mineral License	019832M
Held by	Benton Resources Inc.
Situate near	Kingurutik Lake
On map sheet	14D/16

Mineral License	012976M
Held by	Paragon Minerals Corporation
Situate near	Tilt Cove, Baie Verte Peninsula
On map sheet	02E/13

Mineral License	018591M
Held by	Froude, Timothy
Situate near	Lamaline, Burin Peninsula
On map sheet	01L/13

Mineral License	018596M
Held by	Peddle, Gordon Franics
Situate near	Shoal Harbour Pond, Eastern NL
On map sheet	02D/01

Mineral License	018620M
Held by	Lewis, Jordan
Situate near	Metchin River
On map sheet	13E/06, 13E/07

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Mineral License Held by Situates near On map sheet	18633M Budden, Andy South Pond Area, Central NL 02E/02	Held by Situates near On map sheet	Crocker, James Richard Northwest Gander River, Central NL 02D/11
Mineral License Held by Situates near On map sheet	018642M Benoit, Thomas Southwest Brook, West - Central NL 12B/08	Mineral License Held by Situates near On map sheet	022749M Benton Resources Inc. Kingurutik Lake 14E/01
A portion of license Held by Situates near On map sheet more particularly described in an application on file at Department of Natural Resources.	018809M Hicks, Darrin Gander Lake Area, Central NL 02D/15	Mineral License Held by Situates near On map sheet	022750M Benton Resources Inc. Kingurutik Lake 14E/02
Mineral License Held by Situates near On map sheet	020554M Griffin, Deirdre Ovals Brook Area, Central NL 12H/08, 12H/09	Mineral License Held by Situates near On map sheet	022766M Marathon Gold Corporation Southern Pond, Baie Verte Peninsula 12H/16
Mineral License Held by Situates near On map sheet	020730M Kennedy, Chad Comfort Cove, Central NL 02E/07	Mineral License Held by Situates near On map sheet	022767M Marathon Gold Corporation Southern Pond, Baie Verte Peninsula 12H/16
Mineral License Held by Situates near On map sheet	020733M Crocker, James Richard Gander Lake Area, Central NL 02D/16	Mineral License Held by Situates near On map sheet	022768M French, Roy Collier Bay Area, Avalon Peninsula 01N/12
A portion of license Held by Situates near On map sheet more particularly described in an application on file at Department of Natural Resources.	020778M Lawrence, Gordon Valleyfield, Eastern NL 02F/04	Mineral License Held by Situates near On map sheet	022778M United Gold Inc. Norris Arm, Central NL 02E/03
Mineral License Held by Situates near On map sheet	021547M Noel, E. Michele Jonathans First Pond, Central NL 02E/02	Mineral License Held by Situates near On map sheet	022802M Coady, Craig Gordon Cape Caribou River Area 13F/07
Mineral License Held by Situates near On map sheet	022485M Unity Resources Inc. Roberts Arm, Central NL 02E/05	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, 36/01, 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 32 nd clear day after the date of this publication.	
Mineral License Held by Situates near On map sheet	022531M Rose, Shawn Long Pond, Western NL 12B/08		
Mineral License Held by Situates near On map sheet	022742M Lewis, Craig Fleur De Lys, Baie Verte Peninsula 12I/01	DEPARTMENT OF NATURAL RESOURCES Justin Lake, Manager - Mineral Rights	
Mineral License Held by Situates near On map sheet	022744M Hicks, David Seal Bay, Central NL 02E/05	File #s 774: 2631, 4480, 5064, 6790, 6830, 7838, 7843; 775: 1930, 1934, 1958, 1969, 1978, 2128, 3471, 3580, 3583, 3612, 4100, 4675, 4711, 4803, 4805, 4807, 4810, 4811, 4816, 4817, 4818, 4820, 4858	
Mineral License	022746M	Apr 29	

CITY OF MOUNT PEARL ACT



**NOTICE OF REVOCATION
CITY OF MOUNT PEARL
AIR GUN BY-LAW**

TAKE NOTICE that the MOUNT PEARL Air Gun By-Law which was made and adopted by Council on the 8th day of August, 1994 has been revoked by the City Council of MOUNT PEARL pursuant to the *City of MOUNT PEARL Act* on the 5th day of April, 2016.

The Revocation of the By-Law comes into effect upon the publication of the notice in *The Newfoundland and Labrador Gazette*.

CITY OF MOUNT PEARL
Michele Peach, Chief Administrative Officer

Apr 29

URBAN AND RURAL PLANNING ACT, 2000

**NOTICE OF REGISTRATION
TOWN OF CARBONEAR
MUNICIPAL PLAN
AMENDMENT No. 20, 2015
and
DEVELOPMENT REGULATIONS
AMENDMENT No. 30, 2015**

TAKE NOTICE that the TOWN OF CARBONEAR Municipal Plan Amendment No. 20, 2015, and Development Regulations Amendment No. 30, 2015, adopted by Council on the 2nd day of November, 2015, has been registered by the Minister of Municipal Affairs.

Municipal Plan Amendment No. 20, 2015, will amend Municipal Plan Policy 2.2.11 to add seasonal residential (cottages) as a discretionary use to the Watershed policy which will allow Council to consider redevelopment of pre-existing cottage lots on vacant land. Development Regulations Amendment No. 30, 2015, will add seasonal residential as a discretionary use and add a condition for seasonal residential use to the Watershed Land Use Zone Table, Schedule C.

The TOWN OF CARBONEAR Municipal Plan Amendment No. 20, 2015, and Development Regulations Amendment No. 30, 2015, 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 CARBONEAR Municipal Plan Amendment No. 20, 2015, and Development Regulations Amendment No. 30, 2015, may do so at the Town Office, Carbonear during normal working hours.

TOWN OF CARBONEAR
Cathy Somers, Town Clerk

Apr 29

**NOTICE OF REGISTRATION
TOWN OF GRAND FALLS-WINDSOR
DEVELOPMENT REGULATIONS
AMENDMENT NO. 3, 2016**

TAKE NOTICE that the TOWN OF GRAND FALLS-WINDSOR Development Regulations Amendment No. 3, 2016, adopted on the 15th day of March, 2016, and approved (as amended) on the 19th day of April has been registered by the Minister of Municipal Affairs.

In general terms, the purpose of Development Regulations Amendment No. 3, 2016 is to re-zone an area of land which fronts on the south side of Main Street, west of Lincoln Road, from the current Single Unit Small Lot Residential Zone (RS-2) to the Single Unit Compact Residential Zone (RS-1) in order to enable the development of single family homes with smaller footprints on reduced size lots as alternative, affordable option for new residential dwellings in the community.

Development Regulations Amendment No. 3, 2016 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 GRAND FALLS-WINDSOR Development Regulations Amendment No. 3, 2016 may do so at the Town Office, Engineering Department, Town Hall, 5 High Street, Grand Falls-Windsor, during normal office hours.

TOWN OF GRAND FALLS-WINDSOR
Michael Pinsent, P. Eng., Town Manager/Clerk

Apr 29

**NOTICE OF REGISTRATION
TOWN OF L'ANSE AU LOUP
MUNICIPAL PLAN
and
DEVELOPMENT REGULATIONS**

TAKE NOTICE that the TOWN OF L'ANSE AU LOUP Municipal Plan and Development Regulations 2014-2024, adopted on the 2nd day of November 2015, and approved on the 22nd day of February, 2016 has been registered by the Minister of Municipal Affairs.

The TOWN OF L'ANSE AU LOUP Municipal Plan and Development Regulations 2014-2024 comes into effect the day that notice is published in *The Newfoundland and Labrador Gazette*.

Anyone who wishes to inspect a copy of the Municipal Plan and Development Regulations 2014-2024 may do so at the TOWN OF L'ANSE AU LOUP Town Office, during normal working hours.

TOWN OF L'ANSE AU LOUP
Janice Normore, Town Manager/Clerk

Apr 29

**NOTICE OF REGISTRATION
TOWN OF LOGY BAY-
MIDDLE COVE-OUTER COVE
MUNICIPAL PLAN
AMENDMENT No. 18, 2015,
and
DEVELOPMENT REGULATIONS
AMENDMENT No. 28, 2015**

TAKE NOTICE that the TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE Municipal Plan Amendment No. 18, 2015, and Development Regulations Amendment No. 28, 2013, as adopted by Council on the 9th day of November, 2015, has been registered by the Minister of Municipal Affairs.

In general terms, Municipal Plan Amendment No. 18, 2015, will re-designate additional land for the Roman Catholic Cemetery, located off Cemetery Lane, from Residential to Public Use. Development Regulations Amendment No. 28, 2015, will re-zone the same area of land from Residential Subdivision Area (RSA) to Public Use (PU).

The TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE Municipal Plan Amendment No. 18, 2015, and Development Regulations Amendment No. 28, 2015, 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 LOGY BAY-MIDDLE COVE-OUTER COVE Municipal Plan Amendment No. 18, 2015, and Development Regulations Amendment No. 28, 2015, may do so at the Town Office, Logy Bay-Middle Cove-Outer Cove during normal working hours.

TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE
Richard Roche, Town Clerk

Apr 29

**NOTICE OF REGISTRATION
TOWN OF UPPER ISLAND COVE
MUNICIPAL PLAN AMENDMENT No. 5, 2015,
and
DEVELOPMENT REGULATIONS
AMENDMENT No. 12, 2015**

TAKE NOTICE that the TOWN OF UPPER ISLAND COVE Municipal Plan Amendment No. 5, 2015, and Development Regulations Amendment No. 12, 2015, adopted by Council on the 25th day of January, 2016, has been registered by the Minister of Municipal Affairs.

Municipal Plan Amendment No. 5, 2015, will re-designate an area of land on the north side of Crane's Road from Rural and Blueberry Management Unit to Mixed Use. Development Regulations Amendment No. 12, 2015, will re-zone the same area of land from Rural and Blueberry Management Unit to Mixed Development.

The TOWN OF UPPER ISLAND COVE Municipal Plan Amendment No. 5, 2015, and Development Regulations Amendment No. 12, 2015, 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 UPPER ISLAND COVE Municipal Plan Amendment No. 5, 2015, and Development Regulations Amendment No. 12, 2015, may do so at the Town Office, Upper Island Cove during normal working hours.

TOWN OF UPPER ISLAND COVE
Neil Shute, Town Clerk

Apr 29

LANDS ACT

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

NOTICE IS HEREBY given that ROSS GREEN of Harbour Grace, Newfoundland and Labrador intends to apply to the Department of Municipal 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 Conception Bay in the Electoral District of Harbour Grace – Port De Grave for the purpose of fishing stage for tourism and being more particularly described as follows:

*Bounded on the North by Water Street, Hr. Grace
for a distance of 37 metres;
Bounded on the East by old school building
for a distance of 26 metres;
Bounded on the South by water
for a distance of 37 metres;
Bounded on the West by Tourist Chalet
for a distance of 26 metres;
and containing an area of
approximately 970 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 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: ROSS GREEN, Telephone Number: 709-589-7224.

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

Apr 29

QUIETING OF TITLES ACT

**2016 01G 2302
IN THE SUPREME COURT OF
NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION**

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

NOTICE is hereby given to all parties that CBS LAND DEVELOPMENT INC. has applied to the Supreme Court of Newfoundland and Labrador, Trial Division, in the Judicial Centre of St. John's, to have the title to: All that piece or parcel of land situate and being located on the northern side of Smiths Place, Conception Bay South, in the Province of Newfoundland and Labrador, Canada, and as more particularly described in Schedule "A" hereto annexed, of which the said Applicant claims on its own behalf to be the owner, investigated and for a declaration that the said Applicant is the absolute owner thereof, free from those exceptions or qualifications contained in Section 22(1)(c) and (d) of the *Quieting of Titles Act*, but subject to Mortgages to Moore Holdings Limited; Patrick Street Holdings Limited; Maddens Limited, P & P Holdings Limited; Modern Heavy Civil Limited; a Mechanics' Lien filed by Modern Heavy Civil Limited and an Easement to Newfoundland Power Inc. and Bell Aliant Communications Inc. All persons having a claim adverse to this title claimed by the Applicant should file in the Registry of the Supreme Court of Newfoundland and Labrador, Trial Division, Judicial Centre of St. John's, at the Courthouse Building, Duckworth Street, St. John's, Newfoundland and Labrador, Canada, A1C 5M3, particulars of such adverse claim and serve same together with an Affidavit verifying same, on the undersigned solicitors for the Applicant on or before the 27th day of May, 2016, after which date no party having any claim shall be permitted to file same or to be heard except by special leave of the Court subject to such conditions as the Court may deem just. All such adverse claims shall then be investigated in such manner as the said Supreme Court may direct.

DATED at St. John's, in the Province of Newfoundland and Labrador, this 20th day of April, 2016.

COX & PALMER
Solicitors for the Applicant
PER: Roland C. Snelgrove, Q.C.

ADDRESS FOR SERVICE:
Suite 1100, Scotia Centre, 235 Water Street
St. John's, NL A1C 1B6

Tel: (709) 570-5348
Fax: (709) 738-7999

SCHEDULE "A"

Job No. 10770

August 10, 2015

PROPERTY OF C.B.S. LAND DEVELOPMENT INC.
SMITHS PLACE, CONCEPTION BAY SOUTH, NL

ALL THAT piece or parcel of land, situate and being on northern side of Smiths Place, in the Town of Conception Bay South, in the Province of Newfoundland and Labrador, Canada, and being bounded and abutted a follows:

THAT IS TO SAY, beginning at a point on the northern side of Smiths Place, said point having coordinates N 5 265 743.179 metres and E 308 082.539 metres of the Three Degree Modified Transverse Mercator Projection NAD 83 for the Province of Newfoundland and Labrador;

THENCE along the northern side of Smiths Place N59°25'01"W for a distance of 43.552 metres;

THENCE crossing Smiths Place S28°35'57"W for a distance of 12.714 metres;

THENCE by property now or formerly Roland Smith N60°04'54"W for a distance of 106.777 metres;

THENCE by a Reservation (10.0 metres wide) along the waters of Conception Bay N04°43'35"E for a distance of 15.497 metres;

THENCE N08°21'11"E for a distance of 10.666 metres;

THENCE N06°37'48"E for a distance of 72.562 metres;

THENCE N77°32'22"W for a distance of 2.009 metres;

THENCE for a distance of 213 metres, more or less, straight line bearing of N24°24'46"E for a distance of 205.769 metres;

THENCE by a Reservation (6.1 metres wide) along the western side of Manuels River for a distance of 315 metres; more or less, straight line bearing of S22°52'29"E for a distance of 298.453 metres;

THENCE S63°59'48"W for a distance of 9.513 metres;

THENCE along S17°29'12"E for a distance of 26.767 metres;

THENCE by property of Jeffrey Smith and Lorraine Smith S48°23'00"W for a distance of 20.607 metres;

THENCE N72°25'12"W for a distance of 36.580 metres;

THENCE S28°38'00"W for a distance of 48.790 metres; more or less, to the point of beginning and containing an area of 4.228 hectares, more or less, (Civic 1 and Civic 2 not included in area.). Which land is more particularly shown on the plan hereto attached. All bearings being referred to the above mentioned projection. All linear measurements are horizontal ground distances.

EXCEPTING NEVERTHELESS from the above described parcel of land, all that piece or parcel of land designated as Civic 2;

THAT IS TO SAY, beginning at a point on the eastern side of Junco Place said point having coordinates N5 265 809.048 metres and E308 018.177 metres of the Three Degree Modified Transverse Mercator Projection NAD-83 for The Province of Newfoundland and Labrador;

THENCE by property of C.B.S. LAND DEVELOPMENT INC. S75°19'38"E for a distance of 32.937 metres;

THENCE S12°24'15"W for a distance of 1.010 metres;

THENCE S17°59'22"W for a distance of 32.310 metres;

THENCE along the northern side of Smiths Place N60°04'54"W for a distance of 26.630 metres;

THENCE along the eastern side of Junco Place for a distance of 8.946 metres along the arc of a curve having a radius of 6.460 metres and a chord distance of 8.248 metres on a bearing of N20°24'43"W;

THENCE N71°11'01"W for a distance of 1.340 metres;

THENCE for a distance of 19.433 metres along the arc of a curve having a radius of 255.450 metres and a chord distance of 19.428 metres on a bearing of N16°37'33"E, more or less, to the point of beginning and containing an area of 931 square metres, more or less. Which land is more particularly shown on plan hereto attached. All bearings being referred to the above mentioned projection. All linear measurements are horizontal ground distances. ALSO EXCEPTING NEVERTHELESS from the above described parcel of land, all that piece or parcel of land designated as Civic 1;

THAT IS TO SAY, beginning at a point on the western side of Junco Place said point having coordinates N5 265 804.940 metres and E308 004.357 metres of the Three Degree Modified Transverse Mercator Projection NAD-83 for The Province of Newfoundland and Labrador;

THENCE along the western side of Junco Place for a distance of 22.629 metres along the arc of a curve having a radius of 243.205 metres along a chord distance of 22.621 metres on a bearing of S18°51'42"W;

THENCE by property of Homes Limited N60°04'S4"W for a distance of 40.251 metres;

THENCE N05°23'05"E for a distance of 13.966 metres;

THENCE N00°38'06"E for a distance of 2.833 metres;

THENCE S69°20'22"E for a distance of 43.666 metres, more or less, to the point of beginning and containing an area of 802 square metres, more or less. Which land is more particularly shown on plan hereto attached.

All bearings being referred to the above mentioned projection. All linear measurements are horizontal ground distances.

This description and accompanying plan, Job # 10770 of Brown & Way Surveys, form an integral part of the return and are not separable.



TRUSTEE ACT

ESTATE NOTICE

IN THE MATTER OF the Estate of MYRTLE GENEVA CLUETT, Late of the City of Corner Brook, in the Province of Newfoundland and Labrador, Deceased who died on or about the 30th day of January, 2016, Homemaker, Retired.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of MYRTLE GENEVA CLUETT, Late of the City of Corner Brook, in the Province of Newfoundland and Labrador, Deceased, are hereby requested to send particulars of the same in writing, duly attested to the undersigned Solicitors for the Executor of the estate on or before the 30th day of May, 2016, after which date the said Executor will proceed to distribute the said Estate having regard only to the claims of which they shall then have had notice.

DATED at the City of Corner Brook, in the Province of Newfoundland and Labrador, this 18th day of April, 2016.

POOLE ALTHOUSE
Solicitors for the Executor
PER: Adam G. Baker

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

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

Apr 29

ESTATE NOTICE

IN THE MATTER Of the Estate of JOSEPH W. CROCKER, Late of Port au Port East, in the Province of Newfoundland and Labrador, Deceased: September 1, 2013.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of JOSEPH W. CROCKER, Late of Port au Port East, 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 Executrix of the Estate on or before the 31st day of May, 2016, after which date the said Executrix will proceed to distribute the said Estate having regard only to the claims of which notice shall have been received.

DATED at Stephenville, Newfoundland and Labrador, this 21st day of April, 2016.

ROXANNE PIKE LAW OFFICE
Solicitor for the Executrix
PER: Roxanne Pike

ADDRESS FOR SERVICE:

P.O. Box 272
43 Main Street
Stephenville, NL A2N 2Z4

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

Apr 29

ESTATE NOTICE

IN THE MATTER OF the Estate of JOSEPHINE MARY O'QUINN, Late of Port au Port East, in the Province of Newfoundland and Labrador, Deceased: February 4, 2000.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of JOSEPHINE MARY O'QUINN, Late of Port au Port East, 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 Administratrix of the Estate on or before the 31st day of May 2016, after which date the said Administratrix 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 21st day of April, 2016.

ROXANNE PIKE LAW OFFICE
Solicitor for the Administratrix
PER: Roxanne Pike

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

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

Apr 29

ESTATE NOTICE

IN THE MATTER OF the Estate of VIDA PIKE, Late of Robinsons, in the Province of Newfoundland and Labrador, Deceased: March 8, 2016.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of VIDA PIKE, Late of Robinsons, 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 Executrix of the Estate on or before the 31st day of May, 2016, after which date the said Executrix will proceed to distribute the said Estate having regard only to the claims of which notice shall have been received.

DATED at Stephenville, Newfoundland and Labrador, this 22nd day of April, 2016.

ROXANNE PIKE LAW OFFICE
Solicitor for the Executrix
PER: Roxanne Pike

ADDRESS FOR SERVICE:

P.O. Box 272
43 Main Street
Stephenville, NL A2N 2Z4

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

Apr 29

ESTATE NOTICE

IN THE MATTER OF the Estate of HELENA RICHARDS, Late of Port au Port East, in the Province of Newfoundland and Labrador, Deceased: October 30, 2007.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of HELENA RICHARDS, Late of Port au Port East, 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 Executrix of the Estate on or before the 31st day of May, 2016, after which date the said Executrix will proceed to distribute the said Estate having regard only to the claims of which notice shall have been received.

DATED at Stephenville, Newfoundland and Labrador, this 21st day of April, 2016.

ROXANNE PIKE LAW OFFICE
Solicitor for the Executrix
PER: Roxanne Pike

ADDRESS FOR SERVICE:

P.O. Box 272
43 Main Street
Stephenville, NL A2N 2Z4

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

Apr 29



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

Vol. 91

ST. JOHN'S, FRIDAY, APRIL 29, 2016

No. 17

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 16/16

NLR 17/16



NEWFOUNDLAND AND LABRADOR REGULATION 16/16

*Pharmaceutical Services Audit and
Recovery Regulations*
under the
Pharmaceutical Services Act
(O.C. 2016-049)

(Filed April 19, 2016)

Under the authority of section 51 of the *Pharmaceutical Services Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, April 14, 2016.

Julia Mullaley
Clerk of the Executive Council

REGULATIONS

Analysis

- | | |
|---|---------------------------------|
| 1. Short title | 6. Debt due |
| 2. Definitions | 7. Interest may be charged |
| 3. Techniques necessary to complete audits | 8. Alternate dispute resolution |
| 4. Cancellation or suspension of provider numbers | 9. ADR agreement |
| 5. Manner of recovering benefits | 10. Remuneration |
| | 11. Transitional |
| | 12. Commencement |

Short title

1. These regulations may be cited as the *Pharmaceutical Services Audit and Recovery Regulations*

Definitions

2. In these regulations

- (a) "Act" means the *Pharmaceutical Services Act*;
- (b) "board" means the audit appeal board appointed under section 42 of the Act;
- (c) "committee" means the Pharmaceutical Audit Review Committee appointed under section 34 of the Act;
- (d) "program" means the Newfoundland and Labrador Prescription Drug Program; and
- (e) "written notice" means the written notice referred to in section 39 of the Act.

Techniques
necessary to
complete audits

3. (1) Audits shall be conducted in accordance with

- (a) generally accepted auditing standards; and
- (b) standards and policies respecting auditing developed by the department.

(2) Audits may include the following:

- (a) statistical sampling;
- (b) extrapolation;
- (c) beneficiary confirmation;
- (d) prescriber and third party confirmations; and
- (e) claims monitoring.

Cancellation or
suspension of
provider numbers

4. A provider number issued under subsection 16(2) of the Act may be suspended or cancelled where

- (a) a pharmacy or dispensing physician refuses to provide documentation and other information required under subsections 31(1)(2)(4) or (5) of the Act;

- (b) a pharmacy or dispensing physician refuses to allow access to a pharmacy or pharmacy related business premises as required by subsection 31(3) of the Act;
- (c) a pharmacy or dispensing physician refuses to provide information in the time period set by the minister;
- (d) a pharmacy or dispensing physician refuses to provide further information as required under section 33 of the Act;
- (e) the Newfoundland and Labrador Pharmacy Board has suspended, imposed terms and conditions upon or cancelled the pharmacy's licence or where a dispensing physician's licence has been suspended, had terms and conditions imposed upon it or has been cancelled;
- (f) a pharmacy or dispensing physician owes money to the Crown;
- (g) a person is guilty of an offence under section 47 of the Act;
or
- (h) at the discretion of the minister, where a pharmacy or dispensing physician fails to comply with the Act, regulations made under the Act, the policies of the department or any terms and conditions of participation in the program.

Manner of
recovering benefits

5. Payments made to a pharmacy or dispensing physician determined to be in excess under section 38 of the Act shall be recovered in a manner acceptable in law or equity.

Debt due

6. For the purpose of recovery under Part VII of the Act, a debt shall be due from the date the minister issues a notice under section 39 of the Act.

Interest may be
charged

7. (1) Where payments made to a pharmacy or dispensing physician have been determined to be in excess of the amount which was required to be paid under the program, the minister shall charge interest on the sum which has been paid in excess.

(2) Interest charged under subsection (1) shall be levied upon the sum which has been paid in excess for each month or part of a month beginning 30 days after

(a) the date of notification under section 39 where the amount owing is not subject to alternative dispute resolution or appeal; or

(b) the final resolution of an alternative dispute resolution process or an appeal of an amount owing, whichever is later,

which interest shall be levied until the amount owing is paid in full.

(3) For the purpose of subsection (1), the annual rate of interest with respect to a sum due is the rate equal to the sum of

(a) the prime lending rate of the bank holding the province's general revenue fund as determined and adjusted in accordance with this section; and

(b) 4 percentage points.

(4) Interest calculated under subsection (3) shall be compounded monthly.

(5) The interest rate prescribed by this section shall be determined on June 15 and December 15 in each year and

(a) the interest rate as determined on June 15 shall apply to unpaid sums that are owing after June 30; and

(b) the interest rate as determined on December 15 shall apply to unpaid sums that are owing after December 31.

(6) Notwithstanding subsection (1), interest shall not be levied for a month in which the sum due is less than \$1000.

Alternate dispute
resolution

8. (1) Where a pharmacy or dispensing physician wishes to dispute the results of an audit, the pharmacy or dispensing physician may make a request, in writing, for alternate dispute resolution, and that request shall be made within 30 days of receipt of the written notice under section 39 of the Act.

(2) Alternate dispute resolution shall be completed no more than 30 days after it has been requested, or within another period that the parties may agree to in writing.

(3) Where an agreement is reached by alternate dispute resolution, the pharmacy or dispensing physician waives the right to appeal to the board appointed under the Act.

(4) Alternate dispute resolution under these regulations is subject to the provisions of the *Financial Administration Act*.

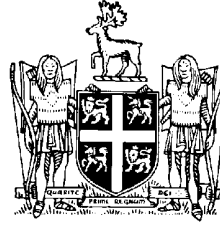
ADR agreement **9.** Where an agreement has been reached under section 8, adjustments to the recovery shall be made accordingly.

Remuneration **10.** The members of the board appointed under section 42 of the Act shall be remunerated in accordance with Treasury Board Guidelines.

Transitional **11.** Where a notice was given under section 39 of the Act before the coming into force of these regulations, the matters referred to in that notice shall be determined as if these regulations had not come into force.

Commencement **12. These regulations come into force on September 30, 2016.**

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**NEWFOUNDLAND AND LABRADOR
REGULATION 17/16**

*Midwives Regulations
under the
Health Professions Act*

(Filed April 28, 2016)

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 27, 2016.

Colin Power
Chairperson of the Council

Dr. John Haggie
Minister of Health and Community Services

REGULATIONS

Analysis

- | | |
|----------------------------------|-----------------------------------|
| 1. Short title | 9. Registration renewal |
| 2. Definitions | 10. Renewal requirements |
| 3. Member register | 11. Failure to renew registration |
| 4. Requirements for registration | 12. Registration after expiry |
| 5. General status | 13. Designated titles |
| 6. General temporary status | 14. Notification of changes |
| 7. Conditions or restrictions | 15. Practice of midwifery |
| 8. Continuing education | 16. Commencement |

Short title

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

Definitions

2. In these regulations

- (a) "Act" means the *Health Professions Act*;
- (b) "applicant" means a person who applies to the registration committee for registration as a midwife;
- (c) "college" means the College of Midwives of Newfoundland and Labrador established under the Act;
- (d) "continuing education" means a continuing education program developed by the college under paragraph 29(3)(b) of the Act;
- (e) "general status" means the status of a member who is registered under section 5;
- (f) "general temporary status" means the status of a member who is registered under section 6;
- (g) "hours of midwifery practice" means hours involving direct care, education, research and administration as approved by the college;
- (i) "member" means a member of the college;
- (h) "midwife" means a person who practices midwifery;

- (j) "midwifery" means the application of knowledge, skills and judgment to assess, monitor and provide care to
 - (i) healthy women in respect of health promotion, pregnancy, labour, delivery and the postpartum period, and
 - (ii) healthy infants;
- (k) "midwifery registration exam" means an exam approved by the college to determine eligibility for registration;
- (l) "primary midwife" means a midwife who assumes primary responsibility for providing midwifery care during the intrapartum period; and
- (m) "registration committee" means the committee established under subsection 19(1) of the Act.

Member 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; and
- (b) general temporary 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 in the certificate and which shall expire at the end of that period, unless renewed 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 Conduct acceptable to the registration committee from the Royal Newfoundland Constabulary, Royal Canadian Mounted Police or other appropriate policing agency,
 - (iii) a current Vulnerable Sector Check acceptable to the registration committee from the Royal Newfoundland Constabulary, Royal Canadian Mounted Police or other appropriate policing agency,
 - (iv) a current cardiopulmonary resuscitation certificate approved by the college and acceptable to the registration committee,
 - (v) a current neonatal resuscitation certificate approved by the college and acceptable to the registration committee,
 - (vi) a current midwifery or obstetrical emergency skills certificate approved by the college and acceptable to the registration committee,
 - (vii) a written consent for release of information,
 - (viii) 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,

- (ix) proof of a working knowledge of the English language that the registration committee considers sufficient to enable the applicant to practice midwifery in the province,
- (x) proof of professional liability insurance of a type and in an amount acceptable to the council, and
- (xi) other documentation the registration committee considers necessary.

(2) In addition to the requirements of subsection (1), where an applicant is currently or was previously licensed or registered to practice midwifery 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) An applicant 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 the successful completion of a midwifery program of study approved by the college; and
- (c) provided proof of successful completion of a midwifery registration exam.

(2) Notwithstanding that the applicant satisfies the requirements in subsection (1), where

- (a) he or she has not completed any hours of midwifery practice; and
- (b) 2 to 4 years have elapsed between the submission of the application for registration and either
 - (i) the completion of a program of study referred to in paragraph (1)(b), or

- (ii) the completion of a midwifery registration exam,

the registration committee shall assess the applicant and may require him or her to complete a refresher course or a re-entry program before registering the applicant under subsection (1).

(3) Notwithstanding that the applicant satisfies the requirements in subsection (1), where more than 4 years have elapsed between the submission of the application for registration and either the successful completion of a program of study referred to in paragraph (1)(b) or the successful completion of a midwifery registration exam, or both, the applicant is entitled to be registered with a general status where he or she has

- (a) within the 4 years immediately preceding the application, completed at least 1000 hours of midwifery practice including attendance at a minimum of 20 births as a primary midwife; or
- (b) within the 2 years immediately preceding the application, completed a midwifery refresher course or re-entry program that is approved by the college.

General temporary
status

6. (1) An applicant who has not successfully completed a midwifery registration exam is entitled to be registered with a general temporary status where he or she has

- (a) complied with the requirements of section 4; and
- (b) in the 2 years immediately preceding the application, successfully completed a program of study referred to in paragraph 5(1)(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 or reapplication.

(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 a midwifery registration exam.

(4) When a member registered with a general temporary status successfully completes a midwifery registration exam and continues to

comply with the requirements of section 4, he or she shall be registered with a general status.

(5) When a member registered with a general temporary status does not successfully complete a midwifery 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 midwifery unless he or she is supervised, in a manner acceptable to the council, by

- (a) a member registered with a general status whose registration is not subject to conditions or restrictions; or
- (b) a medical practitioner registered under the *Medical Act, 2011*, whose registration is not subject to conditions or restrictions.

Conditions or
restrictions

7. (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 specify 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 edu-
cation

8. (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 to

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

Registration renewal

9. (1) The registration committee shall advise each member who is registered with a general 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

10. (1) A member who is registered with a general status is entitled, on application to the registration committee, to have his or her registration renewed under section 9 where he or she

- (a) provides a written consent for release of information as requested by the registration committee;
- (b) pays the required fees;
- (c) provides proof that he or she has completed at least 1000 hours of midwifery practice within the preceding 4 year period, including attendance at a minimum of 20 births as a primary midwife;
- (d) provides proof of professional liability insurance of a type and in an amount acceptable to the council;
- (e) provides proof of a current cardiopulmonary resuscitation certificate approved by the college and acceptable to the registration committee;
- (f) provides proof of a current neonatal resuscitation certificate approved by the college and acceptable to the registration committee;
- (g) provides proof of a current midwifery or obstetrical emergency skills certificate approved by the college and acceptable to the registration committee;
- (h) provides proof of his or her participation in or completion of continuing education programs and professional development requirements as directed by the council;

- (i) provides proof of participation in peer case review and other quality assurance activities approved by the college and directed by the council;
- (j) provides proof of satisfying continuity of care requirements approved by the college and acceptable to the registration committee;
- (k) 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; and
- (l) provides other documentation the registration committee considers necessary.

(2) Paragraph (1)(c) only applies where more than 4 years have elapsed since the member successfully completed

- (a) a program of study referred to in paragraph 5(1)(b);
- (b) a midwifery registration exam; or
- (c) a refresher course or re-entry program approved by the college,

whichever is later.

(3) Where a member does not satisfy the requirement in paragraph (1)(c), the registration committee may renew the member's registration subject to the terms and conditions the registration committee determines.

(4) 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 mid-

wifery 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.

Failure to renew
registration

11. Where a member registered with a general 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

12. A member who allows his or her registration to expire and whose name has been removed from the register under section 11 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 7.

Designated titles

13. (1) Only a member who is registered with a general status shall be entitled to use the title "Registered Midwife", "Midwife" or an associated derivation or abbreviation.

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

Notification of
changes

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

(a) mailing address; or

(b) employer.

Practice of midwife-
ry

15. A midwife may, in accordance with the midwifery scope of practice, guidelines and policies approved by the college,

(a) prescribe and administer medications;

(b) prescribe and administer narcotics and sedatives that are controlled drugs within the meaning of the *Controlled Drugs*

and Substances Act (Canada) as determined by the federal Department of Health;

- (c) order, administer and interpret screening and diagnostic tests;
- (d) perform minor surgical and invasive procedures, including procedures that may be required in an emergency situation; and
- (e) consult with or make a referral to a medical practitioner or other health professionals.

Commencement

16. These regulations come into force on the day the *Health Professions Act* comes into force with respect to the designated health profession of midwives.

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