



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I
PUBLISHED BY AUTHORITY

Vol. 94

ST. JOHN'S, FRIDAY, JANUARY 4, 2019

No. 1

PROVINCIAL COURT ACT, 1991

SALARY AND BENEFITS TRIBUNAL OF THE PROVINCIAL COURT OF NEWFOUNDLAND AND LABRADOR PUBLIC NOTICE OF TRIBUNAL HEARINGS

NOTICE

TAKE NOTICE that the Salary and Benefits Tribunal of the Provincial Court of Newfoundland and Labrador will be reviewing the salary and benefits of the Provincial Court Judges and reporting to the Minister of Justice and Public Safety, pursuant to section 28.1 of *The Provincial Court Act, 1991*, as amended.

The Tribunal will be holding hearings on January 30, 31 and February 1, 2019 between the hours of 10:00 am and 4:30 pm at the hearing room of the Royal Newfoundland Constabulary Public Complaints Commission at 689 Topsail Road, St. John's, Newfoundland and Labrador.

Anyone who wishes to make an oral presentation to the Tribunal at this hearing should advise the Tribunal in writing to the attention of D. Bradford L. Wicks, Q.C., Tribunal Chair, at 34 Harvey Road, P.O. Box 5236, St. John's, NL, A1C 5W1 or by email to bwicks@wrmmmlaw.com on or before January 23, 2019. A specific appearance time for an oral presentation during the dates above shall then be arranged by the Tribunal. The Tribunal further directs that any written presentation be filed with the Chair of the Tribunal on or before January 23, 2019.

Dated at St. John's, this 15th day of November, A.D. 2018

SALARY AND BENEFITS TRIBUNAL OF THE
PROVINCIAL COURT OF NEWFOUNDLAND AND
LABRADOR

D. Bradford L. Wicks, Q.C., Chair
David Eaton, Q.C., Member
John R. Whelan, Member

Jan 4

MINERAL ACT

NOTICE

Published in accordance with section 62 of CNLR 1143/96 under the *Mineral Act*, cM-12, RSNL 1990 as amended.

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

Mineral License	026237M
Held by	Quinlan, Roland
Situate near	Burnt Lake, Central NL
On map sheet	02E/07

Mineral License	023361M
Held by	Vulcan Minerals Inc.
Situate near	Tasisuak Lake
On map sheet	14D/10

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January 4, 2019

Mineral License Held by Situates near On map sheet	016479M Canada Rare Earth Corp. Isabella Falls 13L/02 13L/01	Situates near On map sheet	Nanny Bag Lake, Central NL 02E/05 02E/03 02E/06 02E/04
Mineral License Held by Situates near On map sheet	016500M Labrador Iron Mines Limited Howells River 23J/14	Mineral License Held by Situates near On map sheet	024135M 7842384 Canada Inc. West Arm Brook, Central NL 02E/05 02E/06
Mineral License Held by Situates near On map sheet	017974M Hicks, David Nippers Harbour, Baie Verte Peninsula 02E/13	Mineral License Held by Situates near On map sheet	024178M Stockley, William Mitchell Brook, Western NL 12G/08
Mineral License Held by Situates near On map sheet	021556M Fortis Geoservices Ltd. Grey River, Central NL 11P/11	A portion of license Held by Situates near On map sheet	024451M Brushett, Jeffery Island Pond, Burin Peninsula 01M/04 01L/13 more particularly described in an application on file at Department of Natural Resources
Mineral License Held by Situates near On map sheet	021606M Quinlan, Larry Dildo Run Area, Central NL 02E/10	A portion of license Held by Situates near On map sheet	024452M Brushett, Jeffery Island Pond, Burin Peninsula 01M/04 01L/13 more particularly described in an application on file at Department of Natural Resources
Mineral License Held by Situates near On map sheet	025448M 025450M 025460M Altius Resources Inc. Seal Lake 13K/05	Mineral License Held by Situates near On map sheet	025392M Ralph, Jeffrey M. Deer Harbour, Avalon Peninsula 01N/13
Mineral License Held by Situates near On map sheet	025453M Altius Resources Inc. Seal Lake 13K/05 13L/08	Mineral License Held by Situates near On map sheet	025396M Russell, Gerald Terrance Victoria Lake, Central NL 12A/06
Mineral License Held by Situates near On map sheet	025461M Altius Resources Inc. Seal Lake 13K/05	Mineral License Held by Situates near On map sheet	025402M Russell, Gerald Terrance Victoria Lake, Central NL 12A/06
Mineral License Held by Situates near On map sheet	025457M Altius Resources Inc. Seal Lake 13K/05	Mineral License Held by Situates near On map sheet	025410M Ningeok, Davidee St Augustin River 13B/11
Mineral License Held by Situates near On map sheet	025456M Altius Resources Inc. Seal Lake 13K/05	Mineral License Held by Situates near On map sheet	025111M Bradey, Pearce Upper Christmas Pond, Central NL 02E/03 02D/14
Mineral License Held by Situates near On map sheet	023341M Young, Perry First Pond, Western NL 12B/09	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, 97/2000, 36/2001, 31/2004, 78/2006, 8/2008, 28/2009 and 5/2013 and outlined on 1:50 000 scale digital maps maintained by the Department of Natural Resources, will be open for staking after the hour of 9:00 a.m. on the 32nd clear day after the date of this publication.	
Mineral License Held by Situates near On map sheet	024133M 7842384 Canada Inc. New Bay Pond, Central NL 02E/04		
Mineral License Held by	024134M 7842384 Canada Inc.	DEPARTMENT OF NATURAL RESOURCES JUSTIN LAKE Manager - Mineral Rights	

File Nos. 774: 3643, 4045,
775: 0403, 0407, 1370, 3393, 4108, 4109,
4137, 5182, 5183, 5185, 5186, 5192,
5797, 5798, 5799, 5841, 6077, 6078,
6830, 6834, 6839, 6847, 6599

Jan 4



THE NEWFOUNDLAND AND LABRADOR GAZETTE

**PART II
SUBORDINATE LEGISLATION
FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT**

Vol. 94

ST. JOHN'S, FRIDAY, JANUARY 4, 2019

No. 1

**NEWFOUNDLAND AND LABRADOR
REGULATION**

NLR 1/19



**NEWFOUNDLAND AND LABRADOR
REGULATION 1/19**

Liquor Licensing Regulations (Amendment)
under the
Liquor Control Act
(O.C. 2018-275)

(Filed January 3, 2019)

Under the authority of section 61 of the *Liquor Control Act*, the Board of the Newfoundland and Labrador Liquor Corporation, with the approval of the Lieutenant-Governor in Council, makes the following regulations.

Dated at St. John's, January 3, 2019.

Wayne Myles, Q.C.
Chairperson, Board of Directors of the
Newfoundland and Labrador Liquor Corporation

Ann Marie Hann
Clerk of the Executive Council

REGULATIONS

Analysis

- | | |
|--|-------------------------------|
| 1. Ss. 15.1 & 15.2 added | 2. S.44 Amdt. |
| 15.1 Gift basket licence | Persons under 19 years |
| 15.2 Ferment-on-premises
facility licence | 3. S.46 Amdt.
Proof of age |

4. S.48 Amdt.
Exceptions to prohibition

5. Sch. Amdt.

CNLR 1162/96
as amended

1. The *Liquor Licensing Regulations* are amended by adding immediately after section 15 the following:

Gift basket licence

15.1 (1) In this section,

- (a) "gift basket" means a wrapped package of assorted products; and
- (b) "retail store" includes
 - (i) a grocery store,
 - (ii) a gift shop,
 - (iii) a florist shop, and
 - (iv) another premises approved by the board

but does not include a premises licensed under the *Liquor Control Act*, the *Cannabis Control Act* or regulations under those Acts, other than a premises licensed under this section.

(2) A gift basket licence may be issued to the owner or operator of a retail store that is maintained, equipped and operated in a manner satisfactory to the board.

(3) A gift basket licence authorizes the licensee to prepare and sell gift baskets which contain alcoholic liquor in addition to other products.

(4) All alcoholic liquor in a gift basket shall be sealed and in its original packaging.

(5) Where alcoholic liquor is included in a gift basket,

- (a) the value of the alcoholic liquor shall be less than 50% of the value of the gift basket; and
- (b) the sale of alcoholic liquor shall not be the principal purpose of the gift basket.

(6) In determining the price of a gift basket, the price relating to alcoholic liquor included in the gift basket shall be the cost of the alcoholic liquor to the licensee.

(7) A licensee shall not display or have accessible to customers alcoholic liquor that is not in a gift basket.

Ferment-on-
premises facility
licence

15.2 (1) In this section,

- (a) "bottle" includes a can, keg, cask or other container into which wine or beer is placed after it is removed from a carboy;
- (b) "carboy" means a fermentation vessel used for aging or storing wine or beer;
- (c) "customer" means a person who pays a fee to make wine or beer at a ferment-on-premises facility; and
- (d) "ferment-on-premises facility" means a premises provided with the facilities and equipment prescribed in these regulations where, in consideration of payment, individuals may make wine or beer for personal consumption.

(2) A ferment-on-premises facility licence may be issued to the owner or operator of a ferment-on-premises facility that is maintained, equipped and operated in a manner satisfactory to the board.

(3) A ferment-on-premises facility licence authorizes the licensee to provide, for a fee, equipment, ingredients, instruction and storage to individuals for the making of wine or beer for personal consumption.

(4) A ferment-on-premises facility shall not be located in

- (a) a residential premises;
- (b) a premises licensed under another section of these regulations; or
- (c) a premises licensed under the *Cannabis Control Act*.

(5) A ferment-on-premises facility shall be kept separate from other premises that are used for different purposes.

(6) Before a customer begins to make wine or beer at a ferment-on-premises facility, the licensee shall ensure that the customer provides the licensee with a signed acknowledgment that

(a) he or she will participate in the making of beer or wine by

(i) mixing all the ingredients necessary to start the fermentation process to make the wine or beer,

(ii) removing labels from bottles where bottles bear the labels of breweries or wineries,

(iii) bottling the wine or beer, and

(iv) removing the wine or beer from the ferment-on-premises facility immediately after it has been bottled; and

(b) the wine or beer to be made at the ferment-on-premises facility is for the customer's personal use only.

(7) The licensee shall prepare and provide a customer with an invoice that includes

(a) the licensee's name, address and phone number;

(b) the customer's name, address and phone number;

(c) the type and quantity of wine or beer to be made;

(d) the ingredients provided to the customer and the price charged for the ingredients;

(e) the services provided to the customer and the price charged for the services;

(f) confirmation that the licensee has transferred ownership to the customer of all ingredients being purchased to make the wine or beer;

- (g) the date the making of wine or beer is to begin;
- (h) the amount of the payment and the date payment is received from the customer; and
- (i) a notice to the customer that the wine or beer shall be for the customer's personal use only.

(8) A licensee or an employee of a licensee may, in accordance with this section, make wine or beer at the ferment-on-premises facility operated by the licensee for his or her own personal use.

(9) A customer may be accompanied by one or more persons who are at least the full age of 19 years, to assist the customer in performing the tasks referred to in paragraph (6)(a).

(10) A licensee may allow a customer to consume no more than 2 samples of the customer's wine or beer, where

- (a) the samples are provided before the wine or beer is bottled;
- (b) the samples are consumed at the ferment-on-premises facility; and
- (c) each sample is no more than 50 millilitres.

(11) A licensee shall ensure that each carboy being used to make wine or beer at the ferment-on-premises facility has a tag attached to it with the following information:

- (a) the name of the customer using the carboy;
- (b) the invoice number provided to the customer using the carboy; and
- (c) the date that any enzymes or yeast were added to the ingredients to start the fermentation process to make the wine or beer.

(12) A licensee shall keep a copy of all invoices referred to in subsection (7) and make them available to an inspector when requested.

(13) A licensee shall provide any report to the corporation that the corporation requires, including an annual report in a form provided by the corporation that sets out the amount of wine and beer made at the ferment-on-premises facility for the year.

(14) A licensee shall retain copies of all invoices referred to in subsection (12) and reports referred to in subsection (13) for at least one year.

(15) A licensee that is a corporation or a partnership shall notify the corporation of any change in the person identified as responsible for the operation of the ferment-on-premises facility within 30 days of the change.

(16) A licensee shall not

- (a) make wine or beer at the ferment-on-premises facility for sale or exchange;
- (b) make wine or beer at the ferment-on-premises facility on behalf of a customer;
- (c) sell or exchange wine or beer at the ferment-on-premises facility or keep or offer wine or beer for sale or exchange at the ferment-on-premises facility;
- (d) give wine or beer to any person at the ferment-on-premises facility other than as permitted for sampling in subsection (10).
- (e) permit wine or beer to be exchanged, sold or given by customers at the ferment-on-premises facility;
- (f) facilitate exchanging, selling or giving of wine or beer by customers;
- (g) deliver a customer's wine or beer;
- (h) store or permit the storage of bottled wine or bottled beer at the ferment-on-premises facility;
- (i) remove or permit the removal of carboys being used to make wine or beer from the ferment-on-premises facility;

- (j) bring alcoholic liquor into the ferment-on-premises facility to be added as an ingredient to wine or beer being made at the ferment-on-premises facility; or
- (k) permit a customer to use bottles that are already labelled with labels that represent a product sold at a store or commercially manufactured by a winery or brewery.

(17) Where a licensee's ferment-on-premises facility licence expires or is suspended or cancelled, the corporation may allow any unfinished wine or beer at the ferment-on-premises facility to remain at the ferment-on-premises facility until the wine or beer is ready to be bottled and removed from the ferment-on-premises facility by the customer.

(18) A person whose ferment-on-premises facility licence expires or is suspended or cancelled shall not conduct any new business respecting making wine or beer in the ferment-on-premises facility.

2. Section 44 of the regulations is amended by renumbering it as subsection 44(1) and adding immediately after that subsection the following:

(2) A ferment-on-premises facility licensee shall not allow a person who is under the full age of 19 years or who is otherwise disqualified to purchase liquor by or under the Act or these regulations to make wine or beer at the ferment-on-premises facility.

3. Section 46 of the regulations is amended by adding immediately after subsection (1) the following:

(1.1) A ferment-on-premises facility licensee and his or her servant or agent shall, before allowing a person who appears to be below the full age of 19 years to make wine or beer, require proof of that person's age.

4. Subsection 48(1) is amended by deleting the word "or" at the end of paragraph (c), deleting the period at the end of paragraph (d) and substituting a semi-colon and the word "or" and adding immediately after paragraph (d) the following:

- (e) to enter, be in and remain in a retail store licensed under section 15.1 to carry on any work, other than work involving

the preparation and sale of gift baskets that contain alcoholic liquor; and

- (f) to enter, be in and remain in a ferment-on-premises facility to carry on any work, other than work involving the making of beer and wine.

5. The Schedule to the regulations is amended by deleting the heading *Brewer's Agent and Brewer's Retail* and substituting the following:

**Brewer's Agent, Brewer's Retail and Retail Store
licensed under section 15.1**

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PART I

Provincial Court Act, 1991 — Notice..... 1

PART II

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Trustee Act - Estate Notice - 3 weeks	\$91.25	\$13.69	\$104.94
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