

**NOTE:** Attached to the end of Part II is a list of Statutes of Newfoundland and Labrador, 2005 as enacted up to June 24, 2005.



# THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 80

ST. JOHN'S, THURSDAY, JUNE 30, 2005

No. 26

## **SMOKE-FREE ENVIRONMENT ACT, 2005**

### **APPOINTMENT OF INSPECTORS**

#### **NOTICE**

The Minister of Health and Community Services, under authority of subsection 7(1) of the *Smoke-free Environment Act, 2005*, SNL2005 cS-16.2, is pleased to appoint persons holding the employment designation of "Environmental Health Officer" or "Liquor Establishment Inspector", who are employed with the Department of Government Services and the Newfoundland Liquor Corporation, as Inspectors for the purposes of the Act.

Dated at St. John's, Newfoundland and Labrador, this 30th day of June, 2005.

JOHN OTTENHEIMER, Q.C.  
Minister of Health and Community Services

June 30

### **APPOINTMENT OF INSPECTORS**

#### **NOTICE**

The Minister of Government Services, under authority of subsection 7(2) of the *Smoke free Environment Act, 2005*, SNL2005 cS-16.2, is pleased to appoint persons holding the employment designation of "Occupational Health and

Safety Inspector", who are employed with the Department of Government Services, as Inspectors for the purposes of the Act.

Dated at St. John's, Newfoundland and Labrador this 30<sup>th</sup> day of June, 2005.

DIANNE WHALEN  
Minister of Government Services

June 30

## **URBAN AND RURAL PLANNING ACT**

### **NOTICE OF REGISTRATION TOWN OF WHITBOURNE MUNICIPAL PLAN AMENDMENT NO. 5355-2005-001 AND NO. 5355-2005-002 DEVELOPMENT REGULATIONS AMENDMENT NO. 5355-2005-001 AND 5355-2005-002**

Take notice that the Town of Whitbourne Municipal Plan Amendment No. 5355-2005-001 and 5355-2005-002 and Development Regulations Amendment No. 5355-2005-001 and 5355-2005-002 adopted on the 18<sup>th</sup> day of May, 2005 (as amended) and approved on the 31<sup>st</sup> day of May, 2005, has been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of Municipal Plan Amendment No. 5355-2005-001 and 5355-2005-002 is to

re-zone the areas from Rural Resource/Estate Residential to Residential and Residential/Commercial.

In general terms, the purpose of Development Regulations Amendment No. 5355-2005-001 and 5355-2005-002 is to re-zone the areas from Rural Resource/Estate Residential to Residential and Residential/Commercial.

The Whitbourne Municipal Plan Amendment No. 5355-2005-001 and 5355-2005-002 and the Development Regulations Amendment No. 5355-2005-001 and 5355-2005-002 come 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 Whitbourne Municipal Plan Amendment No. 5355-2005-001 and 5355-2005-002 and Development Regulations Amendment No. 5355-2005-001 and 5355-2005-002, may do so at the Whitbourne Town Office during normal working hours.

**TOWN OF WHITBOURNE**  
Juanita Gosse, Town Clerk

June 30

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**CITY OF ST. JOHN'S ACT**



**ST. JOHN'S MUNICIPAL COUNCIL  
NOTICE  
ST. JOHN'S FREEDOM OF INFORMATION  
BY-LAW**

TAKE NOTICE that the St. John's Municipal Council has re-enacted the St. John's Freedom of Information By-Law.

The said By-law was passed by Council on the 21<sup>st</sup> day of June, 2005 and will re-enact certain sections of the Freedom of Information By-Law, which are inadvertently repealed.

All persons are hereby required to take notice that any person who wishes to view such By-Law may view same at the Office of the City Solicitor of the St. John's Municipal Council at City Hall, and that any person who wishes to obtain a copy thereof may obtain it at the said office upon the payment of a reasonable charge as established by the St. John's Municipal Council for such copy.

Dated this 23<sup>rd</sup> day of June, 2005.

NEIL MARTIN  
City Clerk

P. O. # 35743

June 30

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**TRUSTEE ACT  
ESTATE NOTICE**

**IN THE MATTER OF the Estate of Lillian Grace Barbour, late of the City of St. John's, 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 Lillian Grace Barbour, late of St. John's, in the Province of Newfoundland and Labrador, Gentlewoman, deceased, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned solicitor for the Executor of the Estate of the said deceased on or before July 29, 2005 after which date the Executor will proceed to distribute the Estate having regard only to the claims of which he then shall have notice.

DATED at the City of St. John's, in the Province of Newfoundland and Labrador, this 24<sup>th</sup> day of June, 2005.

CURTIS, DAWE  
Solicitor for the Executor  
PER: Ian F. Kelly, Q.C.

ADDRESS FOR SERVICE  
P. O. Box 337  
St. John's, NL  
A1C 5J9

June 30

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**ESTATE NOTICE**

**IN THE MATTER OF the Estate and Effects of the late Robert McCarthy late of the Community of Bellevue, in the Province of Newfoundland and Labrador, Fisherman, Deceased.**

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Robert McCarthy, late of the Community of Bellevue, in the Province of Newfoundland and Labrador, Fisherman, Deceased, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned Solicitors for the Executor of the said Deceased, on or before the 31<sup>st</sup> day of July, 2005 after which date the Executor will proceed to distribute the said Estate having regard only to the claims of which he then shall have had notice.

DATED at St. John's, Newfoundland and Labrador, this 17<sup>th</sup> day of June, 2005.

BENSON•MYLES  
Solicitor for the Executor  
PER: Geoffrey L. Spencer

ADDRESS FOR SERVICE  
P. O. Box 1538  
St. John's, NL  
A1C 5N8

June 30

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**QUIETING OF TITLES ACT**

**2005 01T 7455  
IN THE SUPREME COURT OF  
NEWFOUNDLAND AND LABRADOR  
TRIAL DIVISION**

**IN THE MATTER OF** the *Quieting of Titles Act*, Chapter Q-3 of the Revised Statutes of Newfoundland and Labrador, 1990

AND IN THE MATTER OF all that piece or parcel of land situate and being South of Neil's Pond, Paradise, in the Province of Newfoundland and Labrador, Canada, and being known as 48X and 48R Goldfinch Drive, Paradise, NL

AND IN THE MATTER OF an application of Gerry Murphy, Clarence Murphy, Wayne Murphy and Brian Murphy, all of Paradise, in the Province of Newfoundland and Labrador.

**NOTICE OF APPLICATION UNDER THE  
QUIETING OF TITLES ACT RSNL 1990, Q-3, AS  
AMENDED**

Notice is hereby given to all parties that Gerry Murphy, Clarence Murphy, Wayne Murphy and Brian Murphy have 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 to the south of Neil's Pond, Paradise, in the Province of Newfoundland and Labrador, Canada, known as 48X and 48R Goldfinch Drive, Paradise, NL, and being more particularly described in the Schedule marked "A" annexed hereto, of which parcel they claim on their own behalf to be the owners, investigated and for a declaration that they are the absolute owners thereof. All persons having a claim adverse to this title claimed by the Petitioners shall file in the Registry of the Supreme Court, Trial Division, Judicial Centre of St. John's, at the Court House Building, Duckworth Street, St. John's, Newfoundland and Labrador, Canada, A1C 5M3, particulars of such adverse claim and serve the same together with an Affidavit verifying the same on the undersigned Solicitor for the Petitioners on or before the 29<sup>th</sup> day of July, 2005, 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 then be investigated in such manner as the Supreme Court of Newfoundland and Labrador, Trial Division, may direct.

DATED at St. John's, Newfoundland and Labrador, this 24<sup>th</sup> day of June, 2005.

LEARMONTH, DUNNE & CLARKE  
Solicitors for the Petitioners  
PER: Joseph F. Boulos

**ADDRESS FOR SERVICE**

22 Church Hill  
P. O. Box 700  
St. John's, NL  
A1C 5L4

**SCHEDULE 'A'  
DESCRIPTION**

All that piece or parcel of land situate and being at Paradise, in the Electoral District of Topsail, in the Province of Newfoundland and Labrador bounded and abutted as follows; that is to say: Beginning at a point, the said point having T.M. Grid co-ordinates of N5264909.932 meters and E 315066.374 meters with reference to Crown Land Monument No. 83G3216 having Co-ordinates of N5265416.847 meters and E 313577.088 meters and Crown Land Monument No. 83G3217 having Co-ordinates of N5265299.865 meters and E 313396.548 meters of the Modified Transverse Mercator Projection for Newfoundland and Labrador having a central meridian of 53 degrees west longitude.

Thence running along a Nfld. Power Easement (30.48 meters wide) and by lots fronting on Skeffington Place and lots fronting on Croydon Street North twenty eight degrees twenty seven minutes thirty eight seconds west a distance of six hundred decimal eight four meters (600.84 meters); thence turning and running along the 20 meter reservation along Neil's Pond south eighty three degrees zero six minutes fifteen seconds east a distance of thirty eight decimal three four meters (38.34m), thence north sixty seven degrees thirty one minutes zero nine seconds east a distance of twenty decimal five three meters (20.53m), thence north forty four degrees fifty one minutes fifteen seconds east a distance of thirty eight decimal six nine meters (38.69m), thence north eighty three degrees fifty minutes twenty nine seconds east a distance of seventeen decimal three six meters (17.36m); Thence turning and running by land of Stanley Breen south twenty eight degrees twenty five minutes zero seconds east a distance of eighty five decimal three seven meters (85.37 m), thence north sixty one degrees thirty five minute zero seconds east a distance of ninety one decimal seven zero one meters (91.701 m);

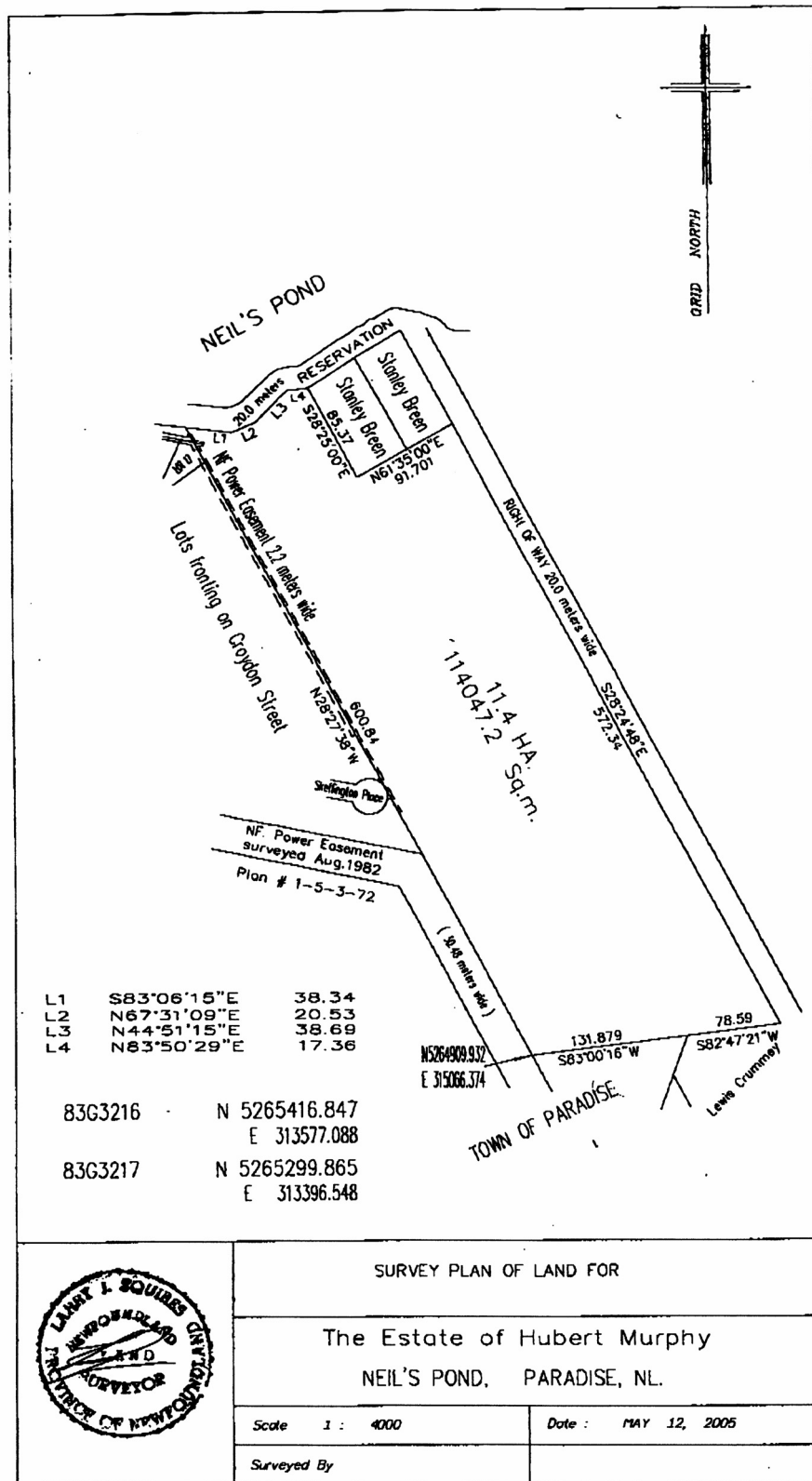
Thence turning and running along the western limit of a Right of Way (20.0 meters wide) south twenty-eight degrees twenty four minutes forty eight seconds east a distance of five hundred seventy-two decimal three four meters (572.34m);

Thence turning by land of Lewis Crummey south eighty two degrees forty seven minutes twenty one seconds west a distance of seventy eight decimal five nine meters (78.59);

Thence turning and running by land of the Town of Paradise south eighty three degrees zero zero minutes sixteen seconds west a distance of one hundred thirty one decimal eight seven nine meters (131.879m), more or less, to the point of commencement and containing an area of 11.4 Hectares which land is more particularly described and delineated on the attached plan. All bearings are

referred to Grid North of the above mentioned projection.  
Subject to, Newfoundland Power Utility easement (2.2

meters wide) partly along the western boundary as shown  
on the attached plan.



**CORPORATIONS ACT**

**NOTICE - SECTION 341(2)**

**NOTICE IS HEREBY GIVEN** pursuant to section 341(2) of the *Corporations Act* that the Registrar, under authority of s.341(1), has decided to dissolve the following corporations effective 120 days from June 26, 2005:

<b>Number</b>	<b>Company Name</b>
25073	10068 Nfld. Limited
27704	10159 NEWFOUNDLAND LIMITED
31370	10257 NFLD INC.
30938	10364 NEWFOUNDLAND INC.
22293	10375 NFLD LTD.
29328	1994 Newfoundland & Labrador Winter Games (Clareville) Inc.
32749	A & C Snacks Limited
25987	A G & Sons Trucking Ltd.
23685	A. & J. Trucking Inc.
22311	A.S.H. ENTERPRISES LIMITED
32650	ABC Systems Inc.
31741	ADG BUTTS COMPANY LIMITED
32473	Adnatech Canada Inc.
28567	ADVANCE STONE WORKS INC.
31848	AFS ENTERPRISES LTD.
2760	AL'S TOURIST LODGE & MOTELS LIMITED
32640	All Cycle Essentials Limited
27011	ALL WOOD CONSTRUCTION LIMITED
23215	Allied Investments Inc.
32538	ALTERNATIVE HEATING LTD.
26098	AM-TECH MARINE MANAGEMENT SERVICES INC.
32481	ANDSON HOLDINGS LIMITED
32177	ANTOINETTE GENERAL CONTRACTING LTD.
32096	Appliance Alert Ltd.
32083	Argentia Development Corporation Inc.
30940	ASPEN CORNER LIMITED
25680	ASTIC INVESTMENTS INC.
29669	Atlantic Aluminum Alloys Inc.
29671	ATLANTIC AUTOMATION AND CONTROLS LTD.
25189	Atlantic Canada Mail Inc.
26267	Atlantic Industrial Minerals Ltd.
26905	ATLANTIC INVESTORS INC.
23157	ATLANTIC PROTECTIVE COATINGS LIMITED
32518	ATLANTIC SIGNS (1993) LIMITED
27348	AVALON AGENCIES LTD.
29077	AVALON AUTO GLASS LTD.
32088	B & E SALON LTD
22848	B & L ENTERPRISES LIMITED
26522	B & M ENTERPRISES LIMITED
22504	B & P CONTRACTORS LIMITED
30509	B. & A. Shears Enterprise Limited
31268	B. & B. WHOLESALERS LTD.
23221	B.A.S.H. Enterprises Limited
26471	B.G.D.C. Enterprises Ltd.
26612	Baccalieu Motor Coach Tours, Inc.
25534	BARTEAU ENTERPRISES INC.
30229	BAY INSURANCE LIMITED
26675	BAY ST. GEORGE SOUTH MANOR FOR SENIORS INC.
32209	Bellevue Contracting Ltd.
26767	BENNWELL & ASSOCIATES INSURANCE SERVICES LIMITED
32142	Big Brothers and Big Sisters of Lake Milville Inc.
31065	Big Head Variety Ltd.

THE NEWFOUNDLAND AND LABRADOR  
June 30, 2005

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31434	BIOFEEDBACK RESEARCH INSTITUTE OF NEWFOUNDLAND AND LABRADOR, INC.
26826	BOB'S ELECTRIC INC.
22636	BONAVISTA SEAFOODS LIMITED
28052	BONNE BAY CO-OPERATIVE LIVING ASSOCIATION INC.
25085	BOW ENTERPRISES LIMITED
28133	BRIDPORT MANOR DEVELOPMENT CORPORATION
29479	BROOK HAVEN LTD.
22330	BROPHY'S HOLDINGS LTD
22819	BULK TRANSPORT LIMITED
26546	BURIN PENINSULA ASSOCIATION FOR SALMON ENHANCEMENT INC.
30242	Butt's Contracting Limited
32343	Butter Cove Recreation Association Inc.
32609	C & C VARIETY LIMITED
30622	C AND J BARTLETT LTD.
25975	C D R ENTERPRISES LTD.
26775	C. H. PARSONS & SONS LIMITED
28168	C.J.E.J. Contracting Inc.
26331	C.J.M. ENTERPRISES LTD.
28432	C.L.C. ENTERPRISES LTD.
32240	C.P. Expediting Ltd.
25880	CABOT CITY REAL ESTATE, LTD.
31160	CALIFORNIA COOLER COMPANY LTD.
25034	CALVIN SNOW'S TRUCKING LIMITED
21822	Can Am Simulation Limited
31456	CANADA BAY HARVESTING INC.
31455	CANADA BAY TRANSPORTATION CO. LTD.
32339	Canadian Pan Xi Dim Sum Food Processing Inc.
29446	CANADIAN PSORIASIS FOUNDATION NFLD. & LAB. CHAPTER INC.
22738	CAPE BROYLE INN LIMITED
30321	CASH Enterprises Limited
26851	CECIL HUGHES ENTERPRISES LTD.
32118	Cecil K. Perry Holdings Limited
32117	Cecil K. Perry Limited
27889	Cedar Homes of Nfld. Ltd.
31200	Central Trades Holdings Limited
27520	Central Trades Limited
29492	CENTRE LOOP ARTS AND RECREATION ASSOCIATION INC.
26060	CENTURY HOLDINGS INC.
32255	Champney's West Recreation Committee Inc.
24242	Charlestown International Holdings Inc.
30578	Childs Painting & Plastering Inc.
29531	CHIPPETT'S FISHERIES LTD.
32348	CHRISTINA'S ROOFING COMPANY LTD.
28976	CHRS ENTERPRISES LIMITED
28774	CHURCH HILL REALTIES INC.
31912	CLUB 3030 BAR & GRILL LTD.
26857	CODROY VALLEY FOLK FESTIVAL LTD.
23897	COMET HOLDINGS LIMITED
32155	COMMUNITY CHRISTIAN FELLOWSHIP INC.
26213	Conception Bay Interiors Systems Enterprises Ltd.
32197	CONCEPTION BAY WORM FARM LIMITED
24029	CONSTRUCTION INSPECTION LIMITED
27816	Construction Labourers' Development Company, Local 1208, Inc.
28999	CONTRACT SERVICES (1991) LIMITED
30540	Cooze Enterprise Ltd.
28933	COPY TECH INC.
30644	Corinne Construction Ltd.
31954	Corporate Promotions Inc.
31108	COTRANS CO. LTD.
30598	Cottlesville Farm Ltd.
31470	COUNTRY FLORIST LTD.
32281	Courage Industrial Supplies Limited

31648	Cy Pat Creations Corp.
32207	D & M ANTIQUES & CONFECTIONERY LIMITED
31743	D & M Maintenance Ltd.
30370	D & S Contracting Limited
29123	D & W ELECTRIC LTD.
31710	D. & D. BUILDERS LTD.
27774	D. & E. Builders Inc.
29592	D. K. Healey Ltd.
25867	D.R. HOLDINGS INC.
31645	DA-ROC HOLDINGS INC.
24272	DAWE ASSOCIATE HOLDINGS LIMITED
31638	DEER LAKE BAKERY LIMITED
30188	DEMPCO ENTERPRISES LIMITED
29422	Design Associates Inc.
30136	DEW PLASTERING AND PAINTING LIMITED
26537	DJK DISTRIBUTORS LTD.
23667	Doligold Limited
30071	DOWNEY'S CONFECTIONERY INCORPORATED
28304	DOYLE BOYS ENTERPRISES LIMITED
31847	DYNAMIC CONSTRUCTION LTD.
27002	E. Moores Fishery Limited
25963	E.M.W. Construction and Catering Enterprises Limited
30693	East Land Coast Ltd.
29139	East Side Contractors Limited
30058	Eastcoast Eavestroughing Incorporated
30552	Eastern and Central Pathways Local Board Inc.
30921	Eastern Caulking (1992) Ltd.
22493	Eastern Harvester Ltd.
22632	Eastern Interior Systems Limited
25162	Edwards' Contracting Ltd.
26842	ELLCO CONTRACTING LTD.
30088	EMPIRE DEVELOPMENT GROUP INC.
25273	Empress Developments Inc.
29195	EMU VENTURES INC.
28600	Enviroment Economic Action Research Inc.
26610	ENVIRONMECH LTD.
25815	ENVIRONMENTAL ACOUSTICS SYSTEMS LIMITED
30543	Environmental Products Limited
30379	EQUITY VENTURES INTERNATIONAL INC.
26604	Eurocan International Ltd.
31460	EUROWOOD INVEST INC.
26159	F 3 INC.
31567	Final-Touch Ltd.
29654	Florida Power Boat Enterprises Inc.
26901	FOOD SERVICES (KENMOUNT RD) INC
26903	FOOD SERVICES (TORBAY RD) INC
32762	Foods & Crafts Inc.
24436	Forestry Training Co-ordinating Group Inc.
23756	fotoGRAFIX Inc.
28216	Frank Piercey Enterprises Limited
29601	Future Vision Limited
22236	G & L HOLDINGS INC.
31501	G & P Building Contracting Ltd.
23853	G. & B. CONSTRUCTION LIMITED
29438	G. & J. HISCOCK & SONS LTD.
28549	GANDER WORLDWIDE INC.
31701	Garrison House Ltd.
26884	Gemco Carpet Limited
28348	GERRY'S & KEVIN'S BACK-HOE SERVICE LTD.
27987	GFD ASSOCIATES INC.
26372	GIBBONS FISHERIES LIMITED
22257	GKS Company Ltd.

22233	GLOVERTOWN ACCOUNTING SERVICES LIMITED
31503	Good Earth Resources, Inc.
31744	Gould's Road Recreation Commission Inc.
30280	GRAND LAKE CAMPGROUND LTD.
27501	Grayston-Pennecon (Newfoundland) Ltd.
30482	GREENE ENTERPRISES INC.
32543	GTR Coatings Limited
30237	H & O CONTRACTING LIMITED
32012	H & P TAKEOUT LTD.
21486	H. A. T. CONTRACTING INC.
26969	H. D. B. Enterprises Inc.
29019	HAL ENTERPRISES LIMITED
28141	HAMLYN VENTURES LTD.
31153	Hanns Garage Limited
24623	HARBOUR MORTGAGES LIMITED
26488	HARDEX INC.
28283	HARDY'S HOME CONSTRUCTION AND REPAIR LIMITED
30130	HARMON MANUFACTURING LIMITED
29742	HAROLD GOSSE LIMITED
24642	Hayes Truck Sales Limited
21656	Heathcorp Limited
26949	Helen's Mini-mart Limited
23047	Heritage Coalition of Newfoundland and Labrador Inc.
27372	HIDEL INVESTMENTS INC.
23174	Hilltop Enterprises Limited
26955	HODDINOTT'S REFRIGERATION & HEATING INC.
25743	HOLIDAY OUTFITTING CO. LTD.
30947	HORIZON PULPWOOD HARVESTING LTD.
23957	HUMBER CONSTRUCTION LTD.
24007	HUMBY'S SALES & SERVICE LIMITED
32497	Institute For Family Development Corporation
31888	INTEGRATED BUSINESS SOLUTIONS LIMITED
26906	INVESTORS MANAGEMENT INC.
32122	Island Consulting Limited
29853	ISLANDS RESTAURANT LIMITED
26784	J & B Paving Limited
30917	J & J SUPERETTE LTD.
25833	J & M Enterprises Limited
21685	J E N Holdings Limited
26252	J L & S DOBBIN LTD.
26275	J N C ENTERPRISES LIMITED
30528	J. & K. Enterprises Ltd.
25605	J.D.S. ENTERPRISES LTD.
30627	J.J'S TAKE-OUT AND RESTAURANT LIMITED
32053	J.W.G. Holdings Ltd.
32227	JACOBS CARPET INSTALLATION LTD.
28881	JASON CONSTRUCTION LTD.
23451	JASSA HOLDINGS INC.
32112	Jaymar Contracting Limited
22922	Jentrey Limited
28919	JET ENTERPRISES LIMITED
25158	JEWELLERY DESIGN AND REPAIR LIMITED
30754	JJ's PLACE LIMITED
29207	Joey's Lookout Inc.
28588	JOHN CABOT HERITAGE SOCIETY INCORPORATED
24882	JOSEPH ENTERPRISES LTD.
26635	K. & K. GENERAL CONTRACTING LIMITED
22967	KEATS SAWMILL LTD.
31795	Kelloway Estates Limited
21553	KELLOWAY HOLDINGS LIMITED
25918	Ken's Tire and Auto Limited
25780	KEVIN WALSH'S EQUIPMENT & SERVICES LTD.



26688	Kevin Young Trucking Limited
31939	KEYSON LIMITED
24148	KINETTE CLUB OF DUNVILLE AND AREA INC.
21525	KING - PIN LIMITED
27019	KMR ENTERPRISES LTD.
29046	KNK Footwear Ltd
29271	KOUNTRY KITCHENS INC.
26989	LABOUR SERVICES INC.
28959	LADY GIBBONS ENTERPRISES LIMITED
26186	LADY RUTH COMPANY LIMITED
27653	LAKE PHARMACY LTD.
29253	LAND AND SEA DIESEL SERVICES LIMITED
29615	Lands - End Company Ltd.
30169	Landwash Boat Tours Limited
32478	LE CHATEAU NEWF LTD.
25232	Lear's Contracting & Home Repair Inc.
24077	Leather Dreams Inc.
31831	Leechris Enterprises Ltd.
30138	Lethbridge and Area Agriculture Society Inc.
32721	LIFELINE HEALTH AND SAFETY LIMITED
29495	LILLCHUCK INVESTMENT AND HOLDINGS INC.
25873	LLOYD G. LAKE LIMITED
30113	LOCKE'S-IPEC OFFSHORE LIMITED
21746	Lomond Enterprises Limited
30819	LORWEN ENTERPRISES LTD.
26666	LUSH'S TRUCKING LTD.
32157	M & E Enterprises Inc.
30131	M K W ENTERPRISES LIMITED
26806	M M ENTERPRISES LIMITED
30606	M. J. T. Metals Ltd.
21858	MACHINE ASSEMBLY SERVICES LIMITED
23812	MACQUARRIE ENTERPRISES LIMITED
23640	Magna Consultants Inc.
31001	MALL SUPERETTE (1992) LIMITED
25651	MANAGEMENT & CONSTRUCTION SPECIALITIES LTD.
22816	March Construction Limited
3189	March Consulting Limited
29758	MARGUERITE LOGGING COMPANY LTD.
25473	MARSH CONSTRUCTION LTD.
30024	Martin's Hardchrome, Hydraulics and Precision Rebuilding Ltd.
31980	Martins' Renovations Inc.
30971	MARYLAND ENTERPRISES LIMITED
2761	MASONRY SUPPLIES LIMITED
32623	Matchim Enterprises Limited
29261	MATRIX TECHNOLOGIES INC.
32574	Matthew's Auto Sales (1993) Limited
31547	MATTHEWS' HOME HEATING LIMITED
28419	McSIM HOLDINGS INC.
28433	MEA (2000) LIMITED
31609	Mehaney Construction Ltd.
32634	MERCER MECHANICAL LIMITED
25467	Mikan Inc.
28059	MIKE'S ENTERPRISES LIMITED
29687	Mike's Lobster Inc.
25962A	MILNIX FOODS INC.
32515	MITCHELL NEWBURY GRAPHIC DESIGN LTD.
26950	Moreton's Harbour Marina Limited
32099	Moss' Mechanical Ltd.
27727	Motion Builders Limited
32278	Mr. Chimney Ltd.
27841	MURRIN'S CONVENIENCE LIMITED
30469	NANCY'S BARGAIN BIN INC.

27627	NATIONAL-STATE CONSTRUCTION GROUP INC.
3092	NEIRON LIMITED
31357	NEW - VENTURE ENTERPRISES (1993) INC.
31194	New Harbour Foodland Limited
30541	NEW HARVEST INC.
30415	NEW RECREATION (1992) INC.
28365	NEWFOUND FISHING CO. LTD.
32712	NEWFOUNDJAMS LTD.
31747	Newfoundland & Labrador Association of Quantity Surveyors Inc.
31659	Newfoundland & Labrador Fairs Association Inc.
28299	NEWFOUNDLAND AMPUTEE SPORTS ASSOCIATION, INCORPORATED
25126	Newfoundland and Labrador Auto Body Association Inc.
32648	Newfoundland Convention Services Inc.
24002A	NEWFOUNDLAND ENVIROTECH LIMITED
31380	Newfoundland Lobster Co. Ltd.
31623	Newfoundland Mail Order Products Ltd.
30057	Newfoundland Souvenir Manufacturing Limited
30553	NEWFOUNDLAND YOUNG PEOPLE'S THEATRE, INC.
32247	Nfld. & Lab. Entrepreneurship Development Council Inc.
30108	Nicholson Petroleum (Nfld.) Inc.
27475	Noel & Associates Inc.
28303	North Atlantic Enterprises Limited
32664	NORTH EAST TRADING CO. LTD.
22897	Northern Challenge Ltd.
29444	NORTHERN PENINSULA CONSTRUCTION LIMITED
25890	NORTHERN PENINSULA RECREATION ASSOCIATION, INC.
32756	NORTHERN VARIETY LTD.
32446	NORTHSIDE CONSTRUCTION LTD.
30668	Nortip Festivals and Events Association Inc.
30181	NOSEWORTHY & SONS LTD.
31784	NovaCo Atlantic Inc.
32405	NR Painting Contractors Ltd.
23135	NU-WOOD CONSTRUCTION LIMITED
29076	NuBody Shop Ltd
32359	NUGOLD Mining Corporation
31722	Orthopedic, Health Care Specialties Ltd.
32310	OVERLOOK ENTERPRISES LIMITED
30274	OXFORD MORTGAGE CONSULTING INC.
29067	P.A. HOLDINGS LTD.
31821	Paint World Ltd.
31527	PAR T GOLF (NFLD) LTD.
24707	PARK CONCESSIONS LIMITED
31180	PARSONS DRIVE IN LTD.
32062	Patch & Pave Recycling Enterprises Co. Ltd.
31092	PATIO STONWORKS-RENTALS UNLIMITED INC.
28652	Paul & Hoddinott Inc.
32416	Peninsula Car and Truck Centre Limited
31258	PERIO INC.
32700	Pet Dimensions Inc.
25643	Pettens Contracting Limited
23771	Pike and Ryan Limited
28558	Pine Hill Industries Inc.
31269	Pippy's Masonary Ltd.
24785	Pitt's Landscaping Limited
21703	PITTMAN'S LUMBER LIMITED
31336	PJE Holdings Inc.
31756	Placentia Bay Tours Limited
25044	PLAYLAND DAY CARE (1989) LIMITED
24499	PORTERS FARM LTD.
30184	POWER HOCKEY LIMITED
29043	Pride Plastering and Painting Limited
28694	PRO-CLAIM ASSOCIATES LTD.

29198	PROCESS AUTOMATION SERVICES LIMITED
23743	Professional Management Services Inc.
27386	Professional Manpower Services Ltd.
31033	Professional Woodworkers Limited
31037	PRONTO TONTO TRUCKING LIMITED
30173	Provincial Siding Systems Ltd.
29427	Queen's Fettle Nightwares Inc.
25441	R & B Carpentry Ltd.
28891	R & G Contractors Limited
31458	R. & N. Collector's Choice Inc.
22872	R.B.T. FISH LIMITED
28029	Rainbow Recordings Incorporated
31872	Rainbusters (1993) Inc.
31933	Rapid Enterprises Ltd.
29476	RDL Enterprises Limited
26638	Recon Specialty Systems Inc.
31022	RED BAY GIFT & GARMENT COMPANY LTD
26480	Refrigeration Control Ltd.
32546	Reliable Builders Incorporated
23553	Reliant Transport Ltd.
24638	RENCONTRE CONSTRUCTION LIMITED
26451	Richard's Auto Body Ltd.
2572	RIVERDALE TENNIS CLUB
28651	RIVERHEAD CHALET LTD.
25612	RIVERHEAD CONSTRUCTION LTD.
21728	RIVERHEAD TRUCKING LIMITED
27536	ROBCO VENTURES INCORPORATED
26556	ROCK & LEATHER INC.
21872	ROLLS LIMITED
30718	ROMANCE OF NATURE LIMITED
25293	RON HICKMAN TRUCKING LIMITED
31225	ROSIE'S BAKERY & DINER LTD.
27232	ROYAL SEAFOODS INC.
28148	RYAN AGENCIES LIMITED
22870	S & R HOLDINGS LIMITED
32100	S. & R. Plastering & Painting Ltd.
31270	Safari North Atlantic Ltd.
29962	SAFETY ENGINEERING CONSULTANTS GROUP INCORPORATED
31854	Sages Hut Inc.
30615	Sandy Cove Enterprises Limited
21936	SANDY POINT STEERING COMMITTEE INCORPORATED
29273	Scana Newfoundland Inc.
22322	Seabord Construction & Management Limited
22321	SEABORD CORPORATION
24388	SEABORN SYSTEMS INC.
25022	Seabright Enterprises Limited
22616	SEASPRINGS ATLANTIC LIMITED
28716	Shannon Moeser Associates Ltd.
22919	SHAWNLENN ENTERPRISES LIMITED
29443	Sherin Services Ltd.
32747	Showtime Video Inc.
31377	Signal Holdings Ltd.
30849	Sinfull Desserts Ltd.
30175	Sop's Arm Pollard's Point Sports Centre Inc.
22566	Southcoast Sharpening Centre Inc.
29074	SOUTHWEST COAST TOURISM ASSOCIATION INC.
32374	SPARK CONSTRUCTION INC.
32569	SPECIALTY AUTO WORKS INC.
29095	SPORTS BINGO INC.
28022	St. Bernard's Aviation Services Limited
32256	St. Jones Within Recreation Association Inc.
32754	Star Consultants Inc.

26743	STARFISH ENTERPRISES LIMITED
26274	StarLight Transport Ltd.
25706	STEVE CROCKER HOLDINGS LIMITED
31525	STEVE DUNN'S TRUCK WASH INC.
2477	STOKES CONSTRUCTION COMPANY LIMITED
28759	STRICKLAND'S CONVENIENCE & VIDEO LIMITED
31482	Sunburst Enterprises Limited
22648	SUNSET INVESTMENT LIMITED
30268	Superior Interlockers Inc.
32324	Superior Painting & Drywall Ltd.
27090	SYLVA ENTERPRISES LTD.
32130	SYNCRO RESEARCH & DEVELOPMENT INC.
26305	T & J Construction Limited
22475	T & M INSTALLATIONS INC.
30510	Taja Enterprises Limited
32079	Team Contracting Ltd.
30576	TERRA NOVA ELECTRIC MOTOR SUPPLY LTD.
31486	TERRA NOVA TRAINING INSTITUTE INC.
32408	The Galley Restaurant & Take-Out Limited
21901	The General Surplus Store Limited
31652	THE GREAT NORTHERN COMPUTER CO. LTD.
28832	THE IRISH CENTRE LIMITED
31678	The Newfoundland Aboriginal Peoples' Council Inc.
32189	The Software Library Inc.
30637	The Spice Rack Limited
28839	Theta Construction Ltd
2551	THISTLE & SONS, LIMITED
31107	Three Arm Management Inc.
25130	Three Mile Rock Enterprises Ltd.
26032	TIG Contracting Limited
22028	Tinker Head Management & Consultancy Limited
21938	TOP FASHIONS LIMITED
30198	TOPPS PIANO BAR LIMITED
32369	Torquay Crafts Ltd.
31708	TRANS-LITE INTERNATIONAL INC.
31133	TRASK'S SPORTS CARDS LTD.
21360	TREMBLETT'S ENTERPRISES LIMITED
30714	Tri-Auto Limited
31786	Tri-Plac Seafoods Limited
29898	Tri-Plan Executive Life Insurance Agency Limited
28032	Triad Fabricators Inc.
26592	Trinity Knitwear Limited
26721	TRIPLE B PRODUCTIONS LIMITED
29558	Triple E Painters Ltd
29797	TRIPLE G ELECTRIC LIMITED
29884	TRITON AIRLINES INCORPORATED
23885	TWIN CITY WOODWORKING INC.
22164	TWIN TOWN LIFESTYLE CENTRE LIMITED
30941	Two From Away Inc.
22487	UNIGLO LIMITED
28607	V. A. L. ENTERPRISES LIMITED
21307	VanCorp Enterprises Ltd.
23944	Video Plus Inc.
30673	VINDHOLMEN CANADA INC.
25304	VISITEX LIMITED
26605	W C S N ENTERPRISES LIMITED
21356	W. & W. Grocery Ltd.
28574	W. Cuff Management Inc.
22186	WALLY WORLD INC.
29850	WEBB HOLDINGS LTD.
29721	West Coast Bracers Ltd.
27100	Westvale Investments Inc.

32613	Wheatons Drywalling Services Inc.
32675	WHELAN'S FARMS LTD.
22662	Whiteway Construction Limited
26879	Wilderness Software Ltd.
29866	WINSES CONSTRUCTION INC
26325	Woodart Limited
31787	WOODFORD'S GARAGE LIMITED
31292	Woodman's Ultramar Limited
31437	Woods Electrical & General Contracting Ltd.
29678	Woolridge's Masonary Ltd.
24963	WORDSMITH DOCUMENT DESIGN INC.
32662	Y & L Newfoundland, Inc.
30809	Y And L Enterprises Ltd.
25075	Young'uns & Tykes Daycare Inc.

**Total Companies:** 500

DOUG LAING  
Registrar

June 30

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**CHANGE OF NAME ACT**

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**C-8 RSN 1990**  
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**NOTICE OF APPLICATION  
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

MICHELLE LOUISE WATSON

of 21A Westmount Road, Corner Brook, A2H 5R3, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

MADISON ELAINE BROOKLYN HILL  
to  
MADISON JOAN BROOKLYN WATSON

DATED this 10<sup>th</sup> day of June, 2005.

MICHELLE WATSON  
(Signature of Applicant)

June 30

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**NOTICE OF APPLICATION  
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

VERNA BETTY WALSH (THOMAS)

of P. O. Box 264, Baie Verte, A0K 1B0, in the Province of Newfoundland and Labrador, as follows:

To change my name from

VERNA BETTY THOMAS  
to  
VERNA BETTY BUDGELL

DATED this 9<sup>th</sup> day of June, 2005.

VERNA B. WALSH (THOMAS)  
(Signature of Applicant)

June 30

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**NOTICE OF APPLICATION  
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

PAULETTE DEBRA LYNN MILLS

of 36A Lower Avenue, Bishop's Falls, A0H 1C0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried children's name from

COURTNEY DYLAN PAUL RIDEOUT  
to  
COURTNEY DYLAN PAUL MILLS

MITCHELL ADAM JAMES RIDEOUT  
to  
MITCHELL ADAM JAMES MILLS

DATED this 14<sup>th</sup> day of June, 2005.

PAULETTE MILLS  
(Signature of Applicant)

June 30

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**NOTICE OF APPLICATION  
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

CHRISTINE MCCARTHY

of 46 Conception Bay South Highway, Conception Bay South, AOA 2R0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

SAMANTHA NICOLE LONG  
to  
SAMANTHA NICOLE MCCARTHY-LONG

DATED this 23<sup>rd</sup> day of June, 2005.

CHRISTINE MCCARTHY  
(Signature of Applicant)

June 30

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# THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION  
FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

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Vol. 80

ST. JOHN'S, THURSDAY, JUNE 30, 2005

No. 26

**NEWFOUNDLAND AND LABRADOR**

**REGULATIONS**

NLR 49/05

NLR 50/05

NLR 51/05

NLR 52/05

NLR 53/05

NLR 54/05



**NEWFOUNDLAND AND LABRADOR  
REGULATION 49/05**

*Deferral of 2005 General Elections for the Towns of Nain, Hopedale,  
Makkovik, Rigolet and Postville Order*  
under the  
*Municipal Elections Act*

*(Filed June 29, 2005)*

Under the authority of subsection 5(3) of the *Municipal Elections Act*, I make the following Order.

Dated at St. John's, June 22, 2005.

Jack Byrne  
Minister of Municipal and Provincial Affairs

**ORDER**

The 2005 General Elections for the Towns of Nain, Hopedale, Makkovik, Rigolet and Postville are deferred for a period not exceeding 12 months from September 27, 2005.

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## NEWFOUNDLAND AND LABRADOR REGULATION 50/05

*Income and Employment Support Regulations (Amendment)*  
under the  
*Income and Employment Support Act*  
(O.C. 2005-380)

*(Filed June 29, 2005)*

Under the authority of section 52 of the *Income and Employment Support Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, June 21, 2005.

Robert C. Thompson  
Clerk of the Executive Council

### REGULATIONS

#### *Analysis*

- |  |  |
|--|--|
| 1. S.2 Amdt.<br>Definitions  | 5. S.15 Amdt.<br>Income support for persons<br>30 years of age and younger |
| 2. S.12 Amdt.<br>Exemptions  | 6. S.16 Amdt.<br>Rent or mortgage  |
| 3. S.13 Amdt.<br>Maintaining a residence                             | 7. S.17 Amdt.<br>Start up allowance  |
| 4. S.14 R&S<br>Maximum monthly income<br>support - board and lodging | 8. S.19 Amdt.<br>Other income support                                      |
|  | 9. S.23 Amdt.<br>Special needs - eye glasses                               |

- |   |   |
|---|---|
| 10. S.24 Amdt.<br>Special needs - dentures        | 14. S.39 Amdt.<br>Placement support allowance |
| 11. S.25 Amdt.<br>Support trust                   | 15. S.40 Amdt.<br>Short term training         |
| 12. S.37 Amdt.<br>Wage subsidy programs           | 16. S.57 Amdt.<br>Appeal to the appeal board  |
| 13. S.38 Amdt.<br>Employment development supports | 17. Commencement                              |

NLR144/04

**1. Paragraph 2(d) of the *Income and Employment Support Regulations* is repealed and the following substituted:**

- (d) "dependent student" means a person who is 18 years of age or older but under 21 years of age who lives with a relative and attends high school;

**2. Paragraph 12(a) of the regulations is repealed and the following substituted:**

- (a) for the sum of income described in subparagraphs 8(d)(i), (ii) and (iii)
- (i) for a single adult, 100% of income up to \$75 plus 10% of income in excess of \$75 to a maximum total exemption of \$150 a month,
  - (ii) for 2 or more persons, 100% of income up to \$150 plus 10% of income in excess of \$150 to a maximum total exemption of \$275 a month,
  - (iii) for a person requiring supportive services, 100% of income up to \$95 plus 10% of income in excess of \$95 to a maximum total exemption of \$150 a month, and
  - (iv) for 2 or more persons where at least one person is a person requiring supportive services, 100% of income up to \$190 plus 10% of income in excess of \$190 to a maximum total exemption of \$275 a month;

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

Maintaining a residence

- 13. (1)** The monthly amount of income support for an applicant or recipient who is renting or owns a residence is up to

1 adult	without dependent children	\$425
1 adult	without dependent children but with one dependent student	\$602
1 adult	without dependent children but with two dependent students	\$692 plus \$96 for each additional dependent student
1 adult	with dependent children	\$556
1 adult	with dependent children and one dependent student	\$596
1 adult	with dependent children and two dependent stu- dents	\$692 plus \$96 for each additional dependent student
2 adults	without dependent children	\$602
2 adults	without dependent children but with one dependent student	\$692 plus \$96 for each additional dependent student
2 adults	with dependent children	\$596
2 adults	with dependent children and one dependent student	\$692 plus \$96 for each additional dependent student

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

Maximum monthly  
income support -  
board and lodging

**14. (1)** The monthly amount of income support for an applicant or recipient who is boarding with a non-relative is:

1 adult	without dependent children	\$425
1 adult	without dependent children but with one dependent student	\$602
1 adult	without dependent children and two dependent stu- dents	\$692 plus \$96 for each additional dependent student
1 adult	with dependent children	\$556

1 adult	with dependent children and 1 dependent student	\$596
1 adult	with dependent children and two dependent students	\$692 plus \$96 for each additional dependent student
2 adults	without dependent children	\$602
2 adults	without dependent children and one dependent student	\$692 plus \$96 for each additional dependent student
2 adults	with dependent children	\$596
2 adults	with dependent children and one dependent student	\$692 plus \$96 for each additional dependent student

(2) The monthly amount of income support for board and lodging for an applicant or recipient who is boarding with a relative is:

1 adult	without dependent children	\$257
1 adult	with dependent children	\$458
1 adult	without dependent children but with one dependent student	\$510
1 adult	with dependent children and one dependent student	\$596 plus \$96 for each additional dependent student
2 adults	without dependent children	\$510
2 adults	without dependent children but with one dependent student	\$692 plus \$96 for each additional dependent student
2 adults	with dependent children	\$596
2 adults	with dependent children and one dependent student	\$692 plus \$96 for each additional dependent student

**5. (1) Subsection 15(1) of the regulations is amended by striking out the amount "\$203" and substituting the amount "\$205".**

**(2) Paragraph 15(2)(a) of the regulations is amended by striking out the amount "\$96" and substituting the amount "\$97".**

**(3) Paragraph 15(2)(b) of the regulations is amended by striking out the amount "\$140" and substituting the amount "\$141".**

**(4) Subsection 15(3) of the regulations is amended by striking out the amount "\$399" and substituting the amount "\$403".**

**6. Paragraph 16(3)(b) of the regulations is amended by striking out the words "if the recipient had, prior to becoming alone, been receiving income support for a period of 6 consecutive months".**

**7. Section 17 of the regulations is amended by striking out the number "1,130" in the third column of that portion of the table respecting one adult with 6 dependent children and substituting the number "1,300".**

**8. (1) Paragraph 19(1)(a) of the regulations is amended by adding immediately after the amount "\$45" a comma and the words "where the cost of heat is not included in the amount of rent".**

**(2) Paragraph 19(1)(b) of the regulations is amended by adding immediately after the amount "\$25" a comma and the words "where the cost of heat is not included in the amount of rent".**

**(3) Subsection 19(1) of the regulations is amended**

**(a) by striking out the word "and" at the end of paragraph (k);**

**(b) by striking out the period at the end of paragraph (l) and substituting a semi-colon and the word "and"; and**

**(c) by adding immediately after paragraph (l) the following:**

**(m) for a dependent student who is in full time attendance at high school, an amount determined by the minister not to exceed the maximum amount for one child provided under the Can-**

ada Child Tax Benefit and the Newfoundland and Labrador child benefit.

**9. Subsection 23(3) of the regulations is repealed and the following substituted:**

(3) Children under the age of 18 years and dependent students may be covered for eye glasses once every 12 months.

**10. Section 24 of the regulations is amended by striking out the words "An applicant or recipient who has been receiving income support for a 6 month period prior to having a special needs assistance requirement for dentures may receive the following" and substituting the words "Where a recipient has been receiving income support for a 6 month period and that recipient, including his or her dependent children or dependent students, has a special needs assistance requirement for dentures, the recipient may receive the following".**

**11. (1) Subsection 25(1) of the regulations is amended by striking out the words "a person" and substituting the words "an applicant or recipient".**

**(2) Subsection 25(4) of the regulations is repealed and the following substituted:**

(4) Notwithstanding subsection (3), the minister, in exceptional circumstances, may dispense with the requirements of that subsection.

**12. Subsection 37(6) of the regulations is repealed and the following substituted:**

(6) In exceptional circumstances, the minister may vary or suspend

(a) the terms and conditions of a wage subsidy agreement; or

(b) the prohibition contained in subparagraph (4)(e)(ii).

**13. (1) Paragraph 38(2)(a) of the regulations is amended by adding immediately after the word "receiving" the words "or be eligible to receive".**

**(2) Subsection 38(3) of the regulations is repealed and the following substituted:**

(3) Notwithstanding paragraph (2)(d), the minister may dispense with the requirements of that paragraph in exceptional circumstances.

**14. (1) Paragraphs 39(1)(c) and (d) of the regulations are repealed and the following substituted:**

(c) short term training referred to in subsection 40(1); and

(d) Employment Exploration and Training.

**(2) Subsection 39(2) of the regulations is repealed and the following substituted:**

(2) In order to qualify for a placement support allowance, an applicant or recipient shall participate in a program approved by an officer.

**15. Subsection 40(3) of the regulations is repealed and the following substituted:**

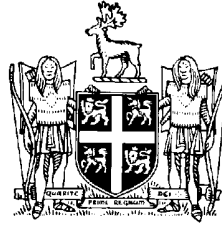
(3) Notwithstanding subsection (2), the minister may, in exceptional circumstances, dispense with the prohibition contained in that subsection.

**16. Section 57 of the regulations is amended by striking out the words "A person" and substituting the words "An applicant or a recipient".**

Commencement

**17. These regulations shall come into force on July 1, 2005 except for paragraph 8(3)(c) which shall come into force on September 1, 2005.**

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**NEWFOUNDLAND AND LABRADOR  
REGULATION 51/05**

*Automobile Insurance Regulations (Amendment)*  
under the  
*Automobile Insurance Act*  
(O.C. 2005-398)

*(Filed June 30, 2005)*

Under the authority of section 60 of the *Automobile Insurance Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, June 29, 2005.

Tim Murphy  
Deputy Clerk of the Executive Council

**REGULATIONS**

*Analysis*

- |                                     |                                     |
|-------------------------------------|-------------------------------------|
| 1. Ss.7 to 14 Added                 | grounds of rate increase            |
| 7. Appropriateness of rate          | 12. Time limit on board             |
| 8. Appropriateness of increase      | 13. Form and timing of rate filings |
| 9. Effective date of rate reduction | 14. Insurer to provide information  |
| 10. Appropriateness of rate         | 2. Commencement                     |
| 11. Board to assess                 |                                     |



NLR 81/04  
Appropriateness of  
rate

**1. The *Automobile Insurance Regulations* are amended by adding immediately after section 6 the following:**

7. (1) For the purpose of subsection 49(2) of the Act, the board shall determine if a proposed rate is too high.

(2) The board shall vary or prohibit a rate that it determines is too high.

(3) A rate approved by the board comes into effect on the date approved by the board.

Appropriateness of  
increase

8. (1) Where a rate filed by an insurer under section 51 of the Act constitutes an increase in a rate previously filed, the board shall determine if the proposed rate is too high.

(2) The board shall vary or prohibit a rate that it determines is too high.

(3) A rate approved by the board comes into effect on the date approved by the board.

Effective date of  
rate reduction

9. (1) Where a rate filed by an insurer under section 51 of the Act constitutes a reduction in a rate previously filed, the new rate takes effect 30 days after the filing has been received by the board or a later date as set out in the filing.

(2) The board shall forward to the Superintendent of Insurance a notice of a rate reduction filed with the board under subsection (1), and the notice shall be in the form determined by the superintendent.

Appropriateness of  
rate

10. (1) For the purpose of subsection 62.1(4) of the Act, the board shall determine if a proposed rate is too high.

(2) The board shall vary or prohibit a rate that it determines is too high.

Board to assess  
grounds of rate  
increase

11. (1) For the purpose of subsections 7(1), 8(1) and 10(1), the board shall determine if the insurer's proposed rate is in excess of that which is required or justified on the basis of the insurer's projected loss experience, expenses and investment income for its automobile insurance business for the province and other elements considered appropriate by the board.

(2) The board shall in its determination under subsection (1) ensure that the projected loss experience takes into account the insurer's loss experience in the province where that experience is relevant, adequate or otherwise reasonable for use in establishing rates.

(3) Where the board determines that an insurer's loss experience in the province is not relevant, inadequate or otherwise unreasonable for use in establishing rates, the board shall determine the elements and information upon which an insurer shall file its projected loss experience with the board.

Time limit on board

**12.** (1) For the purpose of section 53 and subsection 62.1(4) of the Act, the board shall approve, vary or prohibit a rate filed within 90 days from the date the board receives the filing.

(2) Notwithstanding subsection (1), where the board determines that it is not reasonably possible for it to comply with the 90 day time frame, the board shall so notify the company involved and provide a time period when a decision may be made.

Form and timing of rate filings

**13.** The board may determine the manner and timing of the rate filings that an insurer shall file with the board.

Insurer to provide information

**14.** (1) For the purpose of paragraph 60(1)(d.3) of the Act, an insurer shall disclose to a person who is or alleges he or she is entitled to recover from an insured covered by a motor vehicle liability policy or under a contract of automobile insurance the following:

(a) that under the *Personal Information and Electronic Documents Act* (Canada) an insurance company

(i) is permitted to conduct surveillance of a claimant without the claimant's consent or knowledge,

(ii) does not have to disclose to a claimant that he or she is or has been under surveillance, and

(iii) is required to destroy personal information collected about a claimant through surveillance after it has fulfilled its usefulness;

(b) that it is an offence under the *Criminal Code* to make a false claim;

- (c) that a person found guilty of making a false claim may be subject to a fine or imprisonment for a period of time, or to both a fine and imprisonment;
- (d) that a false claim includes inflating the true value of a claim or claiming for things that were not damaged in an accident;
- (e) that where the claimant is making a claim against another driver who allegedly caused the accident, that driver's insurance company is obligated to
  - (i) settle the claim as quickly as possible,
  - (ii) make interim payments to the claimant pending the final settlement of the claim once the insurance company has determined that its insured is at-fault for the accident,
  - (iii) pay the claimant the amount of the final claim settlement in a series of payments over a stated period of time instead of in one lump where the accident caused the claimant bodily injury and the claimant requests his or her settlement in periodic payments,
  - (iv) advise its insured that a claim has been made against him or her, and
  - (iv) advise its insured of the total amount paid to the claimant once the claim is settled;
- (f) that where the claimant was not wearing a seat belt at the time of the accident and by law he or she was required to wear one, the claim will be reduced by 25% unless the claimant can prove that his or her injuries would be the same had he or she been wearing a seat belt;
- (g) that a claim for loss of income or loss of ability to earn income will be reduced by Employment Insurance premiums, Canada Pension Plan contributions and income tax that would otherwise be payable if the claimant received the income from employment; and
- (h) that a claim for non-pecuniary loss or damage will have a \$2,500 deductible applied to it.

(2) An insurer shall make reasonable efforts to ensure that confirmation of receipt of this disclosure is received back from the claimant and maintained on its files.

(3) Subsections (1) and (2) do not apply to an insurer where a claim is made against the insurer for glass breakage under the comprehensive coverage of Section C of the Automobile Insurance Policy.

(4) For the purpose of paragraph 60(1)(d.4) of the Act the disclosure required under subsection (1)

(a) shall be in the form approved by the Superintendent of Insurance;

(b) shall be made immediately upon the insurance company or its adjuster, representative, agent or broker becoming aware of the claimant's name and contact information; and

(c) shall include a requirement that the claimant confirm receipt of the disclosure to the insurance company, but, where the claimant refuses to or does not confirm receipt it shall not constitute an offence or affect his or her claim.

(5) Notwithstanding subsection (4), disclosure may be made by electronic means provided the insurance company receives electronic confirmation of delivery of the disclosure from the claimant and that both the disclosure and confirmation are maintained in a system where it is retrievable.

Commencement

**2. These regulations come into force on August 1, 2005.**

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**NEWFOUNDLAND AND LABRADOR  
REGULATION 52/05**

*Automobile Insurance Prohibited Underwriting  
Regulations (Amendment)*  
under the  
*Insurance Companies Act*  
(O.C. 2005-399)

*(Filed June 30, 2005)*

Under the authority of section 107 of the *Insurance Companies Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, June 29, 2005.

Tim Murphy  
Deputy Clerk of the Executive Council

**REGULATIONS**

*Analysis*

- |   |                 |
|---|-----------------|
| 1. S.4 Amdt.<br>Prohibition risk classifica-<br>tion system | 2. Commencement |
|---|-----------------|

NLR 80/04

**1. (1) Subsection 4(1) of the *Automobile Insurance Prohibited Underwriting Regulations* is amended by deleting the word "and" at the end of paragraph (1)(e) and adding immediately after that paragraph the following:**

(e.1) the age, sex or marital status of a person; and

**(2) Section 4 of the regulations is amended by adding immediately after subsection (1) the following:**

(2) Notwithstanding paragraph (1)(e.1), an insurer is not prohibited from

- (a) providing a discount based on the age of the operator of the vehicle where the operator is at least 55 years of age; or
- (b) using driving experience as an element in its risk classification system.

(3) Notwithstanding paragraph (1)(e.1), for contracts issued or renewed after August 1, 2005, an insurer may continue to use an approved rate that is based on age, sex or marital status until the insurer has filed a rate with the board as required under section 62.1 of the Act and the rate is permitted to be used, or approved for use, by the board.

(4) Where, in a contract issued or renewed after August 1, 2005, an insurer continues to use a rate based on age, sex or marital status as permitted under subsection (3) and the rate is higher than

- (a) the rate filed with the board under section 62.1 of the Act; and
- (b) permitted to be used, or approved for use, by the board,

the difference shall be refunded to the insured, or credited to the insured on the premium remaining to be paid under the contract, within 60 days of the date the rate is permitted to be used, or is approved for use, by the board.

(5) For 12 months from the date this subsection comes into force an insurer shall not increase a rate for a female operator under the age of 25 who is not the principal operator of the vehicle.

(6) For 12 months from the date this subsection comes into force an insurer shall not increase a rate for an operator of a vehicle due to the prohibition in subsection (5).

(7) In subsection (5), "principal operator" means the person who operates the vehicle for most of the time.

Commencement

**2. These regulations come into force on August 1, 2005.**

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**NEWFOUNDLAND AND LABRADOR  
REGULATION 53/05**

Proclamation bringing the Act into force  
(SNL2005 cS-16.2) (July 1/05)  
under the  
Smoke-free Environment Act, 2005  
(O.C. 2005-389)

*(Filed June 29, 2005)*

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

EDWARD ROBERTS  
Lieutenant Governor

JOHN CUMMINGS  
Deputy Minister of Justice

TO ALL TO WHOM THESE PRESENTS SHALL COME,

GREETING;

A PROCLAMATION

WHEREAS in and by section 15 of "*An Act to Revise the Law Respecting Smoking in Public Places and the Workplace*", SNL2005 cS-16.2, (the "Act") it is provided that this Act shall come into force on a day at an hour to be fixed by Proclamation of Our Lieutenant Governor in council;

AND WHEREAS it is deemed expedient that the Act shall come into force on the date set out below.

NOW KNOW YE, THAT WE, by and with the advice of Our Executive Council of Our Province of Newfoundland and Labrador, do by this our Proclamation declare and direct that "*An Act to Revise the Law Respecting Smoking in Public Places and the Workplace*", SNL2005 cS-16.2, shall come into force on July 01, 2005.

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

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



WITNESS: Our trusty and well-beloved the  
Honourable Edward Roberts, one of Her Majesty's Counsel  
learned in the law, Lieutenant Governor  
in and for Our Province of Newfoundland and Labrador.

AT OUR GOVERNMENT HOUSE in Our City of St. John's  
this 28<sup>th</sup> day of June, in the year of Our Lord two  
thousand and five and in the fifty-  
fourth year of Our Reign.

BY COMMAND,

JACK BRYNE  
Registrar General



## NEWFOUNDLAND AND LABRADOR REGULATION 54/05

*Smoke-free Environment Regulations, 2005*  
under the  
*Smoke-free Environment Act, 2005*  
(O.C. 2005-397)

*(Filed June 29, 2005)*

Under the authority of section 11 of the *Smoke-free Environment Regulations, 2005*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, June 29, 2005.

Robert C. Thompson  
Clerk of the Executive Council

### REGULATIONS

#### *Analysis*

- |                          |                                |
|--------------------------|--------------------------------|
| 1. Short title           | 6. Ventilation                 |
| 2. Definitions           | 7. Sign and system requirement |
| 3. Sign                  | 8. Exemption                   |
| 4. Symbols               | 9. NLR 54/98 Rep.              |
| 5. Public to be informed | 10. Commencement               |

Short title                    **1.** These regulations may be cited as the *Smoke-free Environment Regulations, 2005*.

Definitions                    **2.** In these regulations

- (a) "Act" means the *Smoke-free Environment Act, 2005*; and
- (b) "independent mechanical ventilation system" means equipment that provides fresh air to and exhausts air from a public place or workplace so that no amount of air that is exhausted from a designated smoking room is permitted to return to a public place or workplace.

Sign

3. (1) An employer shall, by posting clearly visible signs, inform all employees in a workplace under the control of the employer

- (a) that smoking is prohibited in all work spaces except in designated smoking rooms; and
- (b) of the location of all rooms that are designated smoking rooms.

(2) Where an employer is in control of a workplace to which the public is admitted, the employer shall, by means of a clearly visible sign posted at each entrance to the workplace used by the public inform members of the public who enter the workplace that smoking is prohibited.

(3) Notwithstanding subsection (2) and section 5 a facility to which subsection 4(2) of the Act applies shall post clearly visible signs stating

- (a) that smoking is prohibited except for residents in designated smoking rooms; and
- (b) the location of all rooms that are designated smoking rooms.

Symbols

4. (1) Where by a section of these regulations a sign is required, the sign shall use one of the following graphic symbols to indicate "No Smoking" or "Designated Smoking Room".

**No Smoking**

**Designated Smoking**

No Smoking Symbol

Designated Smoking Room Symbol

(2) Notwithstanding that the symbols described in subsection (1) include a cigarette, they shall be considered to refer to the smoking or non-smoking of any tobacco product.

Public to be informed

5. An owner of a public place shall, by means of clearly visible signs, inform members of the public who enter that public place that smoking is prohibited.

Ventilation

6. (1) A designated smoking room shall have an independent mechanical ventilation system and the employer or owner responsible for that room shall ensure that

- (a) the positioning of the intake or exhaust openings provides for the removal of the smoke from the designated smoking room in an effective, efficient manner and prevents smoke movement into adjoining rooms;
- (b) the system is maintained and monitored in accordance with the manufacturer's requirements, but in no case shall the maintenance interval exceed 6 months;
- (c) records of maintenance are maintained and available on demand to inspectors designated under the Act and maintenance records shall be kept for a minimum of 2 years;
- (d) the volume of air supplied and the rate of exchange of air is determined with consideration to the size and expected occupancy of the designated smoking room, subject to the minimum requirements of subsection (2); and
- (e) the rate of exchange of air is at least
  - (i) where the occupancy of the designated smoking room is not more than 5 persons and their use of that room is occasional, not less than 6 air changes per hour, and
  - (ii) where the occupancy of the designated smoking room exceeds 5 persons or the room is utilized regularly, not fewer than 10 changes per hour.

(2) The volume of air supplied in a designated smoking room shall be of a flow volume that is not less than 14 litres per second or 29.7 cubic feet per minute of air supplied for each occupant.

(3) Smoking shall not be permitted in a designated smoking room unless there is an independent mechanical ventilation system as required under this section.

Sign and system  
requirement

7. An employer or owner responsible for a workplace or public place shall ensure that signs and independent mechanical ventilation systems required under these regulations are posted and installed.

Exemption

8. An event for which a licence has been issued under section 14 of the *Liquor Licensing Regulations* shall be exempt from the application of the Act and these regulations where that event is not held in a building or other enclosed space.

NLR 54/98 Rep.

**9. The *Smoke-free Environment Regulations, Newfoundland and Labrador Regulation 54/98*, are repealed.**

Commencement

**10. These regulations come into force on July 1, 2005.**

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**STATUTES OF NEWFOUNDLAND AND LABRADOR  
2005**

**Second Session, 45<sup>th</sup> General Assembly  
54 Elizabeth II, 2005**

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| Chapter M-4.01 | <u><i>Medical Act, 2005</i></u> - (In force July 1, 2005)<br><i>Medical Act</i> (Repealed)  |
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This list was prepared by the Office of the Legislative Counsel.

Questions or omissions should be brought to the attention of that Office.