



# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART I PUBLISHED BY AUTHORITY

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Vol. 99

ST. JOHN'S, FRIDAY, MAY 24, 2024

No. 21

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### 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 08071M  
held by Tenacity Gold Mining Company Limited

Mineral License 21234M  
held by Abaxx Technologies Ltd.

Mineral License 24378M  
held by Jeffrey Brushett

Mineral License 24735M  
held by Edge Exploration

Mineral License 25128M  
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## THE NEWFOUNDLAND AND LABRADOR GAZETTE

May 24, 2024

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Mineral License held by Limited	31628M Tenacity Gold Mining Company	Mineral License held by	32739M Shawn A. Ryan
Mineral License held by Limited	31629M Tenacity Gold Mining Company	Mineral License held by	33349M Jason White
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**THE NEWFOUNDLAND AND LABRADOR GAZETTE**  
 May 24, 2024

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Mineral License held by	33899M 11205064 Canada Corporation	Mineral License held by	35876M Brian Jones
Mineral License held by	33911M Calvert Davis	Mineral License held by	35924M Big Ridge Gold Corp (51%)/ Coastal Gold Corp (49%)
Mineral License held by	33936M Jason White	Mineral License held by	35929M Big Ridge Gold Corp (51%)/ Coastal Gold Corp (49%)
Mineral License held by	34010M Carson Bell	Mineral License held by	36311M Brian Jones
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Mineral License held by	35355M Shoreline Exploration Inc.	Mineral License held by	37698M Brian Jones
Mineral License held by	35359M AZK Holdings Pty Ltd.		

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, 5/2013, 3/2017, 12/22 and 76/23 and outlined on 1:50 000 scale digital maps maintained by the Department of Industry, Energy and Technology, will be open for staking after the hour of 9:00 a.m. on the 32<sup>nd</sup> clear day after the date of this publication.

DEPARTMENT OF INDUSTRY,  
ENERGY AND TECHNOLOGY

Trina Adams, Mineral Claims Recorder

May 24

**URBAN AND RURAL PLANNING ACT, 2000**  
**NOTICE OF REGISTRATION**  
**MUNICIPAL PLAN AMENDMENT**  
**NO. 31, 2024**  
**DEVELOPMENT REGULATIONS**  
**AMENDMENT NO. 50, 2024**

TAKE NOTICE that the TOWN OF CONCEPTION BAY SOUTH Municipal Plan Amendment 31, 2024 and Development Regulations Amendment No. 50, 2024, adopted by the Town Council on January 23, 2024, has been registered by the Minister of Municipal and Provincial Affairs.

IN GENERAL TERMS, CONCEPTION BAY SOUTH Municipal Plan Amendment No. 31, 2024 and Development Regulations Amendment No. 50, 2024 re-designates and re-zones land at 1496 Conception Bay Highway from the “Residential Low Density” to the “Residential Medium Density” designation and zone.

CONCEPTION BAY SOUTH Municipal Plan Amendment No. 31, 2024 and Development Regulations Amendment No. 50, 2024 come into legal effect on the day that this notice is published in the *Newfoundland and Labrador Gazette*. A copy of the registered amendment is available at the Town of Conception Bay South Town Hall.

TOWN OF CONCEPTION BAY SOUTH  
 Corrie Davis, Director—Planning and Development

May 24

**LANDS ACT**

**NOTICE OF INTENT, SECTION 7**  
**LANDS ACT, SNL1991 c36 AS AMENDED**

NOTICE IS HEREBY given that an application has been made to the Department of Fisheries, Forestry and Agriculture Branch, to acquire title, pursuant to section 7(2) (d) of the said Act, to that piece of Crown lands situated within 15 metres of the waters of Hants Harbour, for the purpose of cribbing and wharf.

The application may intrude on the 15 metre shoreline of the above mentioned water body(s) in various locations. For a detailed map, please see website: <https://www.gov.nl.ca/ffa/lands/sec7notifications/>.

Please note: It may take up to five (5) days from the date of application for details to appear on the website.

Any person wishing to object to the application must file the objection in writing with reasons, within 30 days from the publication of notice on the Department of Fisheries, Forestry and Agriculture website, Crown Lands, <https://www.gov.nl.ca/ffa/lands/>, to the Minister of Department of Fisheries, Forestry and Agriculture by mail or email to the nearest Regional Lands Office:

- Eastern Regional Lands Office, P.O. Box 8700, Howley Building, Higgins Line, St. John's, NL, A1B 4J6 Email: [easternlandsoffice@gov.nl.ca](mailto:easternlandsoffice@gov.nl.ca)
- Central Regional Lands Office, P.O. Box 2222, Gander, NL, A1V 2N9 Email: [centrallandsoffice@gov.nl.ca](mailto:centrallandsoffice@gov.nl.ca)
- Western Regional Lands Office, P.O. Box 2006, Sir Richard Squires Building, Corner Brook, NL, A2H 6J8 Email: [westernregionlands@gov.nl.ca](mailto:westernregionlands@gov.nl.ca)
- Labrador Regional Lands Office, P.O. Box 3014, Station “B”, Happy Valley-Goose Bay, NL, A0P 1E0 Email: [labradorlandsoffice@gov.nl.ca](mailto:labradorlandsoffice@gov.nl.ca)

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

May 24

**TRUSTEE ACT****ESTATE NOTICE**

IN THE ESTATE OF JOYCE HEATHER OWERS, of St. John's, in the Province of Newfoundland and Labrador, Deceased.

ALL PERSONS claiming to be creditors of, or who have any claims or demands upon or affecting, the Estate of the late JOYCE HEATHER OWERS, of St. John's, in the Province of Newfoundland and Labrador, Deceased, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned Solicitor for the Executrix of the said deceased, on or before the 13th day of June, 2024, after which date the Executrix will proceed to distribute the said Estate having regard only to the claim(s) of which she then shall have had notice.

DATED at Carbonear, in the Province of Newfoundland and Labrador, this 13<sup>th</sup> day of May, 2024.

BABB LAW OFFICE  
Solicitor for the Executrix  
Per: Jessica M. Babb, B.A., J.D.

ADDRESS FOR SERVICE:  
PO Box 400  
18 Goff Avenue  
Carbonear, NL A1Y 1B8

Tel: (709) 596-2377  
Toll Free: 1-(800) 596-0596  
Fax: (709) 596-0415  
e-mail: babblaw@babblaw.ca

May 24

**ESTATE NOTICE**

IN THE ESTATE OF BRANDON TONY PARROTT, of Heart's Content, in the Province of Newfoundland and Labrador, Deceased.

ALL PERSONS claiming to be creditors of, or who have any claims or demands upon or affecting, the Estate of the late BRANDON TONY PARROTT of Heart's Content, in the Province of Newfoundland and Labrador, Deceased, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned Solicitor for the Executrix of the said deceased, on or before the day of June 10, 2024, after which date the Executrix will proceed to distribute the said Estate having regard only to the claim(s) of which she then shall have had notice.

DATED at Carbonear, in the Province of Newfoundland and Labrador, this 9<sup>th</sup> day of May, 2024.

BABB LAW OFFICE  
Solicitor for the Executrix  
Per: John M. Babb, K.C.

ADDRESS FOR SERVICE:  
PO Box 400  
18 Goff Avenue  
Carbonear, NL A1Y 1B8

Tel: (709) 596-2377  
Toll Free: 1-(800) 596-0596  
Fax: (709) 596-0415  
e-mail: babblaw@babblaw.ca

May 24





# THE NEWFOUNDLAND AND LABRADOR GAZETTE

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

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Vol. 99

ST. JOHN'S, FRIDAY, MAY 24, 2024

No. 21

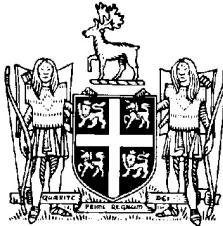
### NEWFOUNDLAND AND LABRADOR REGULATION

**NLR 31/24**

#### CORRECTION NOTICE

Part II of the May 17<sup>th</sup>, 2024 *Newfoundland and Labrador Gazette* (Vol. 99, #20) inadvertently had an incorrect page number on the back cover. This has been corrected in the online version, and the corrected page numbering sequence is used in this Part II.





## **NEWFOUNDLAND AND LABRADOR REGULATION 31/24**

*Engineers and Geoscientists Regulations, 2024*  
under the  
*Engineers and Geoscientists Act, 2008*

*(Filed May 24, 2024)*

Under the authority of section 38 of the *Engineers and Geoscientists Act, 2008*, the board of directors of the Association of Professional Engineers and Geoscientists of Newfoundland and Labrador, with the approval of the Minister of Digital Government and Service Newfoundland and Labrador, makes the following regulations.

Dated at St. John's, May 21, 2024

Chairperson, Board of Directors  
Association of Professional Engineers and  
Geoscientists of Newfoundland and Labrador

Sarah Stoodley  
Minister of Digital Government and Service  
Newfoundland and Labrador

## REGULATIONS

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Short title

1. These regulations may be cited as the *Engineers and Geoscientists Regulations, 2024*.

Definitions

2. In these regulations

- (a) "Act" means the *Engineers and Geoscientists Act, 2008*;

- (b) "applicant" means a person that has submitted an application to be registered as a professional member, permit holder, member-in-training or student;
- (c) "approved by the board" includes approved by a committee;
- (d) "by-laws" means the by-laws of the board made under section 9 of the Act;
- (e) "Canadian jurisdiction" means Canadian jurisdiction as defined in the *Labour Mobility Implementation Act*;
- (f) "category of registration" means one of the categories of registration of professional members established in section 4;
- (g) "committee" means a committee appointed by the board under section 9 of the Act;
- (h) "confirmatory examination" means an examination required by the board for the purpose of assessing an engineering or geoscience degree or equivalent academic qualifications of an applicant and does not mean an examination required by the board for the correction of perceived specific academic deficiencies;
- (i) "defined scope of practice" means the scope of practice within the practice of engineering or the practice of geoscience approved by the board in accordance with section 7;
- (j) "document of a professional nature" includes a report, certificate, memo, specification, drawing, map, design, model, plan or other document that was prepared in the practice of engineering or the practice of geoscience;
- (k) "professional good standing" means proof, satisfactory to the board,
  - (i) of the applicant's professional good character, which may include letters of reference from employers and other persons familiar with the professional practice of an applicant,

- (ii) that the applicant has the requisite knowledge, skill and competencies to engage in the practice of engineering or the practice of geoscience, and
- (iii) that the applicant is not subject to discipline actions or sanctions in a jurisdiction where the applicant has practised or was registered;
- (l) "professional member in responsible charge" means the professional member that is responsible for ensuring the practice of engineering or the practice of geoscience, as the case may be, performed by a permit holder is in accordance with the Act, these regulations, the by-laws and generally accepted standards of practice;
- (m) "professional member – limited scope" means a person holding one of the categories of registration referred to in paragraphs 4(c) or (d);
- (n) "professional member – unrestricted" means a person holding one of the categories of registration referred to in paragraphs 4(a) or (b);
- (o) "professional practice examination" means the examination required by the board for the purpose of confirming an applicant's knowledge of professional practice, ethics, engineering law, professional liability and other related matters;
- (p) "reciprocal jurisdiction" means a jurisdiction covered by an agreement to which the association or the province is a party, whether or not that jurisdiction is in Canada, and which provides for the mobility of engineers and geoscientists between that jurisdiction and the province, or which may be otherwise recognized by the board as a jurisdiction which has registration standards equivalent to those established under the Act;
- (q) "recognized by the board" includes recognized by a committee;
- (r) "registration authority" means

- (i) a regulatory authority of a Canadian jurisdiction, or
- (ii) an association or other authority or body responsible for the registration or licensure of persons in the practice of engineering or geoscience in a reciprocal jurisdiction;
- (s) "regulatory authority" means regulatory authority as defined in the *Labour Mobility Implementation Act*;
- (t) "required by the board" includes required by a committee;
- (u) "required fees" means fees that may be prescribed by the board under section 8 of the Act;
- (v) "satisfactory to the board" includes satisfactory to a committee; and
- (w) "stamp or seal" includes a manual stamp or seal and an electronic stamp or seal.

Applications for registration and renewal of registration

**3.** (1) An application for registration or renewal of registration as a professional member, permit holder, member-in-training or student shall be

- (a) submitted to the registrar;
- (b) in the form approved by the board; and
- (c) accompanied by
  - (i) all documentation and information required under the Act and these regulations, and
  - (ii) the required fees.

(2) The registrar shall refer an application made in accordance with subsection (1) to the board or a committee.

(3) Where the board or a committee requires further information in order to evaluate an applicant, the board or committee shall request further information from the applicant and the applicant shall provide that information in the time specified in the request.

(4) An application for registration or renewal of registration shall be considered to be consent by an applicant for third parties to release information to the board or a committee for the purposes of verifying information provided by the applicant under this section.

(5) The board or a committee may require an applicant to provide proof, satisfactory to the board, that the person is in professional good standing.

## **PART I** **REGISTRATION**

Categories of registration of professional members

**4.** The following categories of registration of professional members are established:

- (a) professional engineer – unrestricted;
- (b) professional geoscientist – unrestricted;
- (c) professional member in the practice of engineering – limited scope; and
- (d) professional member in the practice of geoscience – limited scope.

Registration: professional member – unrestricted

**5.** (1) In addition to the requirements in section 11 of the Act, a person is eligible to be registered as a professional engineer – unrestricted or geoscientist – unrestricted where the person

- (a) completes an application in accordance with section 3;
- (b) demonstrates knowledge of the Act, these regulations and the by-laws satisfactory to the board;
- (c) demonstrates proficiency in the English language satisfactory to the board to enable the applicant to engage in the practice of engineering or the practice of geoscience in the province;
- (d) demonstrates general knowledge of the practice of engineering or the practice of geoscience, as the case may be, by successfully completing a professional practice examination or by other means required by the board;

- (e) is of good character and reputation; and
- (f) provides proof, satisfactory to the board, that the applicant
  - (i) has
    - (A) a degree in engineering or geoscience from a university program approved by the board, and
    - (B) at least 4 years of applicable work experience satisfactory to the board in the practice of engineering or the practice of geoscience, at least 3 years of which shall be gained subsequent to the conferral of the degree referred to in clause (A),
  - (ii) has
    - (A) the academic qualifications equivalent to a degree in engineering or geoscience demonstrated by successful completion of the confirmatory examinations that may be required by the board, and
    - (B) at least 4 years of applicable work experience satisfactory to the board in the practice of engineering or the practice of geoscience subsequent to the attainment of the academic qualifications referred to in clause (A),
  - (iii) has
    - (A) successfully completed the confirmatory examinations or any other examination that may be required by the board, and
    - (B) a total of at least 6 years of applicable work experience in the practice of engineering or the practice of geoscience satisfactory to the board, one year of which shall be obtained subsequent to the successful completion of the examinations required in clause (A), or

(iv) has the combined academic qualifications and work experience satisfactory to the board to enable the applicant to meet the generally accepted standards of practical knowledge, skill and competence required to engage in the practice of engineering or the practice of geoscience.

(2) The board or a committee shall waive the requirements in paragraphs (1)(d) and (f) where

- (a) the applicant is registered and in professional good standing with a registration authority; and
- (b) the registration referred to in paragraph (a) is recognized by the board as equivalent in the scope of practice and competencies to that of a professional engineer – unrestricted or a professional geoscientist – unrestricted.

Registration:  
professional  
member – limited  
scope

**6.** (1) In addition to the requirements in section 11 of the Act, a person is eligible to be registered as a professional member in the practice of engineering – limited scope or a professional member in the practice of geoscience – limited scope where the person

- (a) satisfies the requirements in paragraphs 5(1)(a) to (e); and
- (b) provides proof, satisfactory to the board, that the applicant
  - (i) has
    - (A) a science degree in a discipline and from a university program approved by the board, and
    - (B) at least 8 years of applicable work experience in the practice of engineering or the practice of geoscience satisfactory to the board,
  - (ii) has
    - (A) a degree or diploma in engineering technology or geoscience technology from an institution approved by the board in a program approved by the board, and

(B) at least 8 years of applicable work experience in the practice of engineering or the practice of geoscience satisfactory to the board,

(iii) has

(A) other academic qualifications approved by the board, and

(B) at least 8 years applicable work experience in the practice of engineering or the practice of geoscience satisfactory to the board, or

(iv) has the combined academic qualifications and work experience satisfactory to the board to enable the applicant to meet the generally accepted standards of practical knowledge, skill and competence required to engage in the practice of engineering or the practice of geoscience.

(2) The board or a committee may waive the requirements in paragraph 5(1)(d) and paragraph (1)(b) where

(a) the applicant is registered and in professional good standing with a registration authority; and

(b) the registration referred to in paragraph (a) is recognized by the board as equivalent in the scope of practice and competencies to that of a professional member in the practice of engineering – limited scope or a professional member in the practice of geoscience – limited scope.

**7. (1)** A professional member – limited scope shall only engage in the practice of engineering or the practice of geoscience, as the case may be, within a defined scope of practice as approved by the board.

(2) A defined scope of practice shall

(a) be within a recognized discipline of engineering or geoscience;

(b) not include all aspects of practice within a primary discipline of engineering or geoscience; and

(c) align with the person's academic qualifications and work experience.

(3) A person registered as a professional member in the practice of engineering – limited scope may use the designation "Eng. L.".

(4) A person registered as a professional member in the practice of geoscience – limited scope may use the designation "Geo. L.".

Registration: permit holder

**8.** (1) In addition to the requirements in section 12 of the Act, a professional member is eligible to be registered as a permit holder where the professional member

(a) completes an application in accordance with section 3;

(b) is in professional good standing; and

(c) provides proof, satisfactory to the board, that all aspects of the professional member's practice of engineering or practice of geoscience, as the case may be, are performed by the professional member.

(2) In addition to the requirements in section 12 of the Act, a partnership, corporation, limited partnership or other association of persons is eligible to be registered as a permit holder where the partnership, corporation, limited partnership or other association of persons

(a) completes an application in accordance with section 3; and

(b) provides proof, satisfactory to the board, that all aspects of the applicant's practice of professional engineering or professional geoscience, as the case may be, are directly supervised by a professional member in responsible charge who is

(i) registered as a

(A) professional engineer, where the applicant will be engaged in the practice of engineering, or

(B) professional geoscientist, where the applicant will be engaged in the practice of geoscience, and

(ii) in professional good standing.

Practice restrictions:  
permit holder

**9.** A permit holder shall only engage in the practice of engineering or the practice of geoscience within the areas of competencies of the professional members employed by or working under contract for the permit holder.

Notification to  
association

**10.** (1) A permit holder shall

- (a) keep the registrar advised at all times of the name of the professional member in responsible charge; and
- (b) immediately notify the registrar of a change, whether temporary, indefinite or permanent, in the status of a professional member in responsible charge.

(2) The professional member in responsible charge shall immediately notify the registrar when the professional member ceases to be the professional member in responsible charge for a permit holder, whether temporarily, indefinitely or permanently.

Registration:  
member-in-training

**11.** A person is eligible to be registered as a member-in-training where the person

- (a) completes an application in accordance with section 3;
- (b) is of good character and reputation; and
- (c) provides proof, satisfactory to the board, that the person satisfies one of the academic qualifications required in paragraph 5(1)(f).

Time limits

**12.** A person shall not remain on the register as a member-in-training for a period of more than 6 years unless otherwise approved by the board.

Registration:  
student

**13.** A person is entitled to be registered as a student where the person

- (a) completes an application in accordance with section 3;

- (b) is of good character and reputation;
- (c) provides proof, satisfactory to the board, that the person
  - (i) is enrolled in an undergraduate program in engineering or geoscience approved by the board; and
  - (ii) has successfully completed at least one year of the program referred to in subparagraph (i).

Evaluation of applications

**14.** (1) The board or a committee shall evaluate an application for registration as a professional member, permit holder, member-in-training or student and may

- (a) approve the registration;
- (b) refuse the registration on the grounds that the applicant failed to meet one or more of the requirements for registration in the Act and these regulations; or
- (c) defer approval of the registration until the applicant has met the requirements for registration in the Act and these regulations, and
  - (i) in the case of an application for registration as a professional member, the applicant has
    - (A) successfully completed one or more examinations or completed a further term and type of work experience that the board or a committee may require, or
    - (B) provided any additional information required by the board or a committee, or
  - (ii) in the case of application for registration as a permit holder, the applicant has provided any additional information required by the board or a committee.

Review by board

**15.** (1) The registrar shall notify an applicant, in writing, of a decision of the board or a committee made under this Part.

(2) Where registration of an applicant is approved under paragraph 14(a), the registrar shall

- (a) publish a notice of approval in accordance with the by-laws; and
- (b) enter the applicant on the register as a professional member, including the category of registration, permit holder, member-in-training or student, as the case may be.

(3) Where registration of an applicant is refused or deferred under paragraph 14(b) or (c), the notice provided in subsection (1) shall include reasons for that decision.

(4) An applicant whose application for registration as a professional member or permit holder has not been approved by the board or a committee may, within 30 days of receiving a notice of the decision and the reasons for the decision, request the board review the application by serving on the registrar a written request for review by the board setting out the reasons why, in the applicant's opinion, the applicant's registration as a professional member or permit holder should be approved.

(5) Notwithstanding subsection (4), where approval of an application for registration has been deferred under paragraph 14(c), the applicant shall have no right to request a review of the application by the board.

(6) The board or a committee, other than the committee or a member of the committee that evaluated the application for registration under section 14, shall, after receipt of a request for review under this section, review the application.

(7) An applicant who has requested a review under this section

- (a) shall be notified in writing by the board or committee of the location, date and time of the review; and
- (b) is entitled to appear with counsel and make representations to the board or the committee.

(8) For the purpose of a review under this Part, a quorum of the board or committee shall be 3 members.

(9) Following the conclusion of the review, the board or committee may make a decision which the board or committee is authorized to make under this Part.

**PART II**  
**EXPIRY, RENEWAL AND CANCELLATION**  
**OF REGISTRATION**

Expiry

**16.** A registration issued under these regulations expires annually on December 31.

Renewal of registration for professional members, permit holders and members-in-training

**17.** (1) The board shall renew the registration of a professional member or a member-in-training where that professional member or member-in-training

- (a) completes an application for renewal in accordance with section 3 before the expiry date prescribed in section 16;
- (b) is in professional good standing; and
- (c) provides proof, satisfactory to the board, that the applicant has complied with the professional development program established by the board.

(2) The board shall renew the registration of a permit holder where that permit holder

- (a) completes an application for renewal in accordance with section 3 before the expiry date prescribed in section 16;
- (b) is in professional good standing; and
- (c) continues to satisfy the requirements prescribed in paragraph 8(1)(c) or subparagraph 8(2)(b)(i), as the case may be.

(3) Notwithstanding paragraphs (1)(a) and (2)(a), the board shall renew the registration of a person who was previously registered as a professional member, permit holder or a member-in-training after the expiry date prescribed in section 16 where the person satisfies the requirements in paragraphs (1)(b) and (c) or paragraph 2(b).

(4) A person who was previously registered as a professional member or member-in-training but has not been registered with the

association for 5 years after the expiry of the registration is not eligible for a renewal under this section and is required to reapply for registration in accordance with the Act and these regulations.

Renewal of registration for students

**18.** The board shall renew the registration of a student where the student

- (a) completes an application for renewal in accordance with section 3 before the expiry date prescribed in section 16; and
- (b) continues to satisfy the requirements for registration as a student.

Cancellation of registration

**19.** (1) The board shall cancel the registration of a professional member, permit holder, member-in-training or student where the registration was issued in error.

(2) The board may cancel the registration of a professional member, permit holder, member-in-training or student where the professional member, permit holder, member-in-training or student ceases to satisfy a requirement of registration under the Act or these regulations.

(3) Where the board cancels a registration under subsection (1) or (2), the board shall provide written notice to the professional member, permit holder, member-in-training or student, as the case may be.

(4) The board may direct the registrar to give notice to the profession and to the public of an action taken under this section.

### **PART III** **PROFESSIONAL DEVELOPMENT**

Professional development required

**20.** (1) Every professional member and member-in-training shall participate in and satisfy the requirements of a professional development program established by the board.

(2) The board may cancel the registration of a professional member or member-in-training who fails to comply with subsection (1).

Exemption from  
professional  
development

**21.** The board may exempt a professional member or a member-in-training from the professional development program established by the board where the professional member or member-in-training applies in writing to the board for an exemption.

#### **PART IV** **STAMPS AND SEALS**

Control and use of  
stamps and seals

**22.** (1) At the request of a professional member or a permit holder, the registrar shall provide the professional member or permit holder with a stamp or seal.

(2) A professional member or permit holder shall not acquire a stamp or seal from any other source other than the registrar.

(3) A professional member or permit holder shall not modify the stamp or seal provided under subsection (1).

(4) A professional member shall ensure that the professional member's stamp or seal

(a) remains at all times under the direct control of that professional member; and

(b) is not located in a manner that would allow its use by a person other than the professional member to whom it was issued or a person under that professional member's immediate and direct control.

(5) A permit holder shall ensure that the permit holder's stamp or seal

(a) remains at all times under the direct control of the professional member in responsible charge for that permit holder; and

(b) is not located in a manner that would allow its use by a person other than the professional member responsible in charge.

(6) A professional member shall apply the professional member's seal or stamp to all documents of a professional nature that were prepared by

(a) the professional member or under the professional member's supervision and control; or

(b) another person where the professional member has reviewed and for which the professional member accepts professional responsibility.

(7) A stamp or seal shall be accompanied by the signature of the professional member to whom it was issued and the date on which the stamp or seal is applied.

(8) A professional member in responsible charge for a permit holder shall apply the permit holder's stamp or seal to all documents of a professional nature that were prepared by the permit holder along with the year for which the permit is valid.

(9) A stamp or seal may be applied to the cover page or final page of reports and specifications in a manner which clearly indicates acceptance of professional responsibility for the reports and specifications without being applied to each page.

(10) The stamp or seal referred to in subsection (1) shall remain the property of the association and shall be surrendered to the association when demanded by the registrar.

## **PART V DISCIPLINE**

Filing of an allegation

**23.** (1) Within 30 days of receipt of an allegation under subsection 22(1) or 22(2) of the Act, the registrar shall notify the respondent in writing that an allegation has been received.

(2) A respondent shall have 30 days from the notification of the allegation to respond to the complainant's allegation.

(3) Notwithstanding subsection (2), the complaints authorization committee, or a person appointed by the complaints authorization committee, may request and accept from a respondent a further reply to an allegation.

(4) Within 120 days of the referral of an allegation to the complaints authorization committee, the chairperson of the complaints authorization committee shall inform the respondent and the

complainant whether the complaints authorization committee intends to conduct an investigation of the allegation under section 24 of the Act.

(5) Where the complaints authorization committee suspends the registration of a respondent under subsection 24(3) of the Act, the complaints authorization committee shall publish a notice of the suspension in a newspaper of general circulation in or near the community where the respondent practices.

(6) In addition to the notice given under subsection (5), the complaints authorization committee may also give notice to those persons or by other means the complaints authorization committee considers appropriate.

Mediation

**24.** (1) Where the complaints authorization committee refers an allegation back to the registrar for mediation under paragraph 24(1)(a) of the Act, the registrar shall take the steps required for the mediation to take place.

(2) The complainant and the respondent shall

(a) participate in the mediation; and

(b) accept the result.

(3) The mediator shall conduct the mediation in accordance with a mediation agreement acceptable to the complainant, the respondent and the complaints authorization committee.

(4) Where the complaints authorization committee accepts the result of the mediation, the disciplinary process is concluded.

(5) Where the complaints authorization committee does not accept the result of the mediation, it may exercise one or more of the powers given to it under section 24 of the Act.

(6) Where a mediation has not been concluded within 3 months of its commencement or, where, during the 3 month period, the mediator concludes there is no reasonable prospect that the mediation will be concluded satisfactorily, the mediator shall refer the allegation back to the complaints authorization committee and, in that case, the complaints authorization committee may exercise one or more of the powers given to it under section 24 of the Act.

(7) The association shall bear the costs of the mediator and the place where the mediation is conducted, and the complainant and the respondent shall bear their costs.

Appointment of adjudication tribunal

**25.** An adjudication tribunal shall be appointed within 30 days of referral of the complaint by the disciplinary panel.

Adjudication tribunal hearing date

**26.** (1) An adjudication tribunal shall set a hearing date which shall be the later of

(a) 120 days after the decision of the complaints authorization committee that grounds exist to start a disciplinary proceeding; or

(b) 90 days after the complaint is referred to the disciplinary panel.

(2) Notwithstanding subsection (1), the chairperson of the adjudication tribunal may extend the time period prescribed in subsection (1) where the respondent and board agree.

Decision of adjudication tribunal

**27.** The written decision and orders of an adjudication tribunal shall be provided to the board and the respondent within 90 days of the completion of the hearing of the complaint by the adjudication tribunal.

Substitution for registrar

**28.** Where reference is made to the registrar in these regulations, and where the registrar is temporarily unable to fulfil the functions contemplated by these regulations due to illness or other reason, those functions may be carried out by another person designated by the board.

Transitional

**29. On the coming into force of these regulations, a person who was registered as a professional member in the practice of engineering – limited licensee or a professional member in the practice of geoscience – limited licensee shall be registered as a professional member in the practice of engineering – limited scope or a professional member in the practice of geoscience – limited scope, as the case may be.**

Repeal

**30. The *Engineers and Geoscientists Regulations, 2011*, Newfoundland and Labrador Regulation 43/11, are repealed.**

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<b>Engineers and Geoscientists Act, 2008</b>			
Engineers and Geoscientists Regulations, 2024	31/24	R&S NLR 43/11	May 24/24 p. 301

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