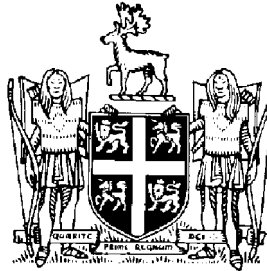


NOTE: Attached to the end of Part II is a list of Statutes of Newfoundland and Labrador, 2024 as enacted up to December 2024.

Attached is a list of publication dates for the Year 2025.



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I PUBLISHED BY AUTHORITY

Vol. 99

ST. JOHN'S, FRIDAY, DECEMBER 27, 2024

No. 52

MUNICIPALITIES ACT, 1999

NOTICE OF ADOPTION THE TOWN OF LOGY BAY-MIDDLE COVE- OUTER COVE PARKING OF COMMERCIAL VEHICLE REGULATIONS 2024

TAKE NOTICE That the TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE Parking of Commercial Vehicle Regulations 2024 was adopted by Council on December 16, 2024.

In general terms, the purpose of the TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE Parking of Commercial Vehicle Regulations 2024 is to regulate the parking of commercial vehicles in rural residential zones.

These regulations come into effect on the date that this notice is printed in *The Newfoundland and Labrador Gazette*. For further information, please contact the Town Office at office@lbmcoc.ca or 709-726-7930.

TOWN OF LOGY BAY-MIDDLE COVE-OUTER
COVE
Karen Stacey
Administrative Assistant

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 Bonne Bay, for the purpose of recreational open space.

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
- Central Regional Lands Office, P.O. Box 2222, Gander, NL, A1V 2N9
Email: 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
- Labrador Regional Lands Office, P.O. Box 3014, Station "B", Happy Valley-Goose Bay, NL, A0P 1E0
Email: 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.)

Dec. 27

**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 Twin Ponds - Howley, for the purpose of RV Park Extension.

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
- Central Regional Lands Office, P.O. Box 2222, Gander, NL, A1V 2N9
Email: 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
- Labrador Regional Lands Office, P.O. Box 3014, Station "B", Happy Valley-Goose Bay, NL, A0P 1E0
Email: 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.)

Dec. 27

TRUSTEE ACT

ESTATE NOTICE

IN THE MATTER OF the Estate and Effects of late ALLAN ARTHUR CRAMM of Embree, in the Province of Newfoundland and Labrador, Retired, Deceased.

ALL PERSONS claiming to be creditors of or who have any claims or demands upon or affecting the Estate of ALLAN ARTHUR CRAMM, the aforesaid deceased, who died at Grand Falls-Windsor, in the Province of Newfoundland and Labrador on or about the 3rd day of August, 2024, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned Solicitor for the Administrator of the Estate on or before the 26th day of December, 2024 after which date the Administrator will proceed to distribute the said Estate having regard only to the claims of which she shall then have had notice.

DATED at the Town of Twillingate, Newfoundland and Labrador, this 10th day of December, 2024.

PEDDLE LAW
Solicitor for the Administrator
PER: MICHAEL D. PEDDLE

ADDRESS FOR SERVICE:

PO Box 518
38 Main Street
Twillingate, NL A0G 4M0

Tel: (709) 884-1751
Fax: (709) 702-0799

Dec. 20 & 27

ESTATE NOTICE

IN THE ESTATE OF DON EVELY, of Stephenville Crossing, in the Province of Newfoundland and Labrador, retired, deceased.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of DON EVELY, of Stephenville Crossing, in the Province of Newfoundland and Labrador, deceased, are hereby requested to send the particulars of the same in writing, duly attested, to the undersigned Solicitor for the Executor of the Estate on or before the 24th day of January 2024, after which date the said Executors will proceed to distribute the said Estate having regard only to the claims of which notice shall have been received.

DATED at Stephenville, Newfoundland and Labrador this 19th day of December 2024.

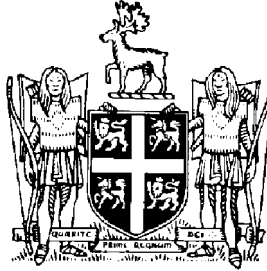
per David A. Mills
MILLS LAW

ADDRESS FOR SERVICE:

P.O. Box 447
87 Gallant Street
Stephenville, NL
A2N 3A3

Tel: (709) 643-5688
Fax: (709) 643-2906

Dec. 27



THE NEWFOUNDLAND AND LABRADOR GAZETTE

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

Vol. 99

ST. JOHN'S, FRIDAY, DECEMBER 27, 2024

No. 52

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 99/24
NLR 100/24
NLR 101/24
NLR 102/24
NLR 103/24
NLR 104/24
NLR 105/24
NLR 106/24
NLR 107/24



**NEWFOUNDLAND AND LABRADOR
REGULATION 99/24**

Maritime Link - Newfoundland and Labrador Hydro Exemption Order
under the
Electrical Power Control Act, 1994
and the
Public Utilities Act
(OC 2024-217)

(Filed December 23, 2024)

Under the authority of section 5.2 of the *Electrical Power Control Act, 1994* and section 4.1 of the *Public Utilities Act*, the Lieutenant-Governor in Council makes the following Order.

Dated at St. John's, December 23, 2024.

Krista Quinlan
Clerk of the Executive Council

ORDER

Analysis

- | | |
|----------------|-----------------|
| 1. Short title | 3. Exemption |
| 2. Definitions | 4. Commencement |

Short title	1. This Order may be cited as the <i>Maritime Link - Newfoundland and Labrador Hydro Exemption Order</i> .
Definitions	2. In this Order, <ul style="list-style-type: none">(a) "Maritime Link" means<ul style="list-style-type: none">(i) the Maritime Link AC facilities, and(ii) the Maritime Link DC facilities;(b) "Maritime Link AC facilities" means the following assets that form part of the Maritime Link:<ul style="list-style-type: none">(i) the Bottom Brook 230 kV terminal station,(ii) the Granite Canal 230 kV switchyard, and(iii) the 230 kV transmission line from the Granite Canal switchyard to the Bottom Brook 230 kV terminal station; and(c) "Maritime Link DC facilities" means the following assets that form part of the Maritime Link:<ul style="list-style-type: none">(i) HVDC transmission lines from the Bottom Brook converter station to the Cape Ray transition compound,(ii) submarine cables from the Cape Ray transition compound to Cape Breton Island, in the province of Nova Scotia,(iii) the Bottom Brook converter station,(iv) the Cape Ray transition compound, which transitions the transmission line described in subparagraph (i) from overhead to underground,(v) the shore line grounding station located at Port Harmon, and associated grounding line from the Bottom Brook converter station to the grounding station, and

(vi) the AC lines connecting the Bottom Brook converter station to the Bottom Brook 230 kV terminal station.

Exemption

3. Newfoundland and Labrador Hydro is exempt from the *Electrical Power Control Act, 1994* and the *Public Utilities Act* for all aspects of its activities pertaining to the Maritime Link.

Commencement

4. This Order comes into force on January 1, 2025.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 100/24**

Come by Chance Capacitor Bank Assets Exemption Order
under the
Electrical Power Control Act, 1994
and the
Public Utilities Act
(OC 2024-217)

(Filed December 23, 2024)

Under the authority of section 5.2 of the *Electrical Power Control Act, 1994* and section 4.1 of the *Public Utilities Act*, the Lieutenant-Governor in Council makes the following Order.

Dated at St. John's, December 23, 2024.

Krista Quinlan
Clerk of the Executive Council

ORDER

Analysis

- | | |
|----------------|-----------------|
| 1. Short title | 3. Exemption |
| 2. Definition | 4. Commencement |

*Come by Chance Capacitor Bank Assets
Exemption Order*

100/24

Short title	1. This Order may be cited as the <i>Come by Chance Capacitor Bank Assets Exemption Order</i> .
Definition	2. In this Order, "Come by Chance capacitor bank assets" means the 38.35 MVAR capacitor banks and related equipment located at the Come by Chance terminal station.
Exemption	3. Newfoundland and Labrador Hydro is exempt from the <i>Electrical Power Control Act, 1994</i> and the <i>Public Utilities Act</i> for all aspects of its activities pertaining to the Come by Chance capacitor bank assets.
Commencement	4. This Order comes into force on January 1, 2025.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 101/24**

Menihek Hydroelectric Generation Station Exemption Order
under the
Electrical Power Control Act, 1994
and the
Public Utilities Act
(OC 2024-217)

(Filed December 23, 2024)

Under the authority of section 5.2 of the *Electrical Power Control Act, 1994* and section 4.1 of the *Public Utilities Act*, the Lieutenant-Governor in Council makes the following Order.

Dated at St. John's, December 23, 2024.

Krista Quinlan
Clerk of the Executive Council

ORDER

Analysis

- | | |
|----------------|-----------------|
| 1. Short title | 3. Exemption |
| 2. Definition | 4. Commencement |

*Menihek Hydroelectric Generation Station
Exemption Order*

101/24

Short title	1. This Order may be cited as the <i>Menihek Hydroelectric Generation Station Exemption Order</i> .
Definition	2. In this Order, "Menihek Hydroelectric generation station" means <ul style="list-style-type: none">(a) the hydroelectric generation station and related facilities located at Menihek Lake;(b) dams, dykes and other works required for the generation of power at Menihek Lake;(c) transmission facilities necessary to deliver power generated at Menihek Lake to a suitable point of interconnection with existing transmission facilities; and(d) any other facilities and equipment necessary for the facilities, works or equipment referred to in paragraphs (a) to (c).
Exemption	3. Newfoundland and Labrador Hydro is exempt from the <i>Electrical Power Control Act, 1994</i> and the <i>Public Utilities Act</i> for all aspects of its activities pertaining to the Menihek Hydroelectric generation station.
Commencement	4. This Order comes into force on January 1, 2025.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 102/24**

Disability Benefit Regulations
under the
Income Tax Act, 2000
(O.C. 2024-215)

(Filed December 23, 2024)

Under the authority of section 68 of the *Income Tax Act, 2000*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, December 23, 2024.

Krista Quinlan
Clerk of the Executive Council

REGULATIONS

Analysis

- | | |
|---------------------------|------------------------------|
| 1. Short title | 4. Application of subsection |
| 2. Interpretation | 38(6) of Act |
| 3. Overpayment and refund | 5. Commencement |

Short title

1. These regulations may be cited as the *Disability Benefit Regulations*.

Interpretation

2. (1) In these regulations,

- (a) "Act" means the *Income Tax Act, 2000*;
- (b) "adjusted income" has the same meaning assigned to it under section 122.6 of the federal Act;
- (c) "cohabiting spouse or common-law partner" has the same meaning assigned to it under section 122.6 of the federal Act;
- (d) "disability benefit" means the overpayment of tax referred to in subsection 3(1);
- (e) "DTC-eligible individual" has the same meaning assigned to it under section 146.4 of the federal Act;
- (f) "eligible individual" means an individual who
 - (i) is at least 18 years of age and not more than 65 years of age,
 - (ii) is a DTC-eligible individual,
 - (iii) is a resident of the province, and
 - (iv) has filed a return of income under the Act for the immediately preceding taxation year that ended before the beginning of the payment period for a month in which the disability benefit is to be paid;
- (g) "payment period" means the period beginning on July 1 of a calendar year and ending on June 30 of the following calendar year; and
- (h) "return of income" means
 - (i) in respect of an individual who is resident in the province at the end of the taxation year, the individual's return of income, other than a return of income under subsection 70(2) or 104(23) of the federal Act, paragraph

128(2)(e) of the federal Act or subsection 150(4) of the federal Act, that is required to be filed for the taxation year or that would be required to be filed if the individual had tax payable under that Act for the taxation year, and

- (ii) in any other case, a prescribed form containing prescribed information that is filed for the taxation year with the Minister of National Revenue.

(2) For the purposes of paragraph (1)(b),

- (a) an individual who was not the cohabiting spouse or common-law partner of the eligible individual on the last day of the month preceding the month in which the disability benefit is to be paid is deemed not to have been the eligible individual's cohabiting spouse or common-law partner at the end of the taxation year; and
- (b) an individual who was the eligible individual's cohabiting spouse or common-law partner on the last day of the month preceding the month in which the disability benefit is to be paid is deemed to have been the eligible individual's cohabiting spouse or common-law partner at the end of the taxation year.

(3) Notwithstanding paragraph (1)(f), an individual is not an eligible individual in relation to a month in a payment period in which the disability benefit is to be paid where that individual

- (a) died before the month in which the disability benefit is to be paid;
- (b) is at the beginning of the month in which the disability benefit is to be paid a person described in paragraph 149(1)(a) or (b) of the federal Act; or
- (c) is confined to a prison or similar institution for a period of at least 90 days that includes the first day of the month in which the disability benefit is to be paid.

Overpayment and
refund

3. (1) An individual shall be considered to have made an overpayment of tax for any month in a payment period for which the individual is an eligible individual.

(2) The amount of the overpayment referred to in subsection (1) shall be determined by the following formula:

$$(\$4,800 - \text{disability benefit reduction}) \div 12$$

where the disability benefit reduction is the reduction based on income, calculated in accordance with whichever of subsections (5) or (6) applies to the eligible individual on the last day of the month that precedes the month in which the disability benefit is to be paid.

(3) The minister shall refund the amount of the overpayment referred to in subsection (2) to the eligible individual monthly.

(4) Notwithstanding subsection (3), where the monthly amount of the overpayment is less than \$10, the minister shall pay the annual amount of the overpayment to the eligible individual in the first month of the payment period.

(5) Where an eligible individual does not have a cohabiting spouse or common-law partner or has a cohabiting spouse or common-law partner who is not a DTC-eligible individual, the reduction based on income is the greater of zero and the amount determined by the following formula:

$$36.92\% \times (\text{adjusted income} - \$29,402)$$

where adjusted income is the eligible individual's adjusted income for the immediately preceding taxation year that ended before the beginning of the payment period.

(6) Where the eligible individual has a cohabiting spouse or common law partner who is also a DTC-eligible individual, the reduction based on income is the greater of zero and the amount determined by the following formula:

$$18.46\% \times (\text{adjusted income} - \$29,402)$$

where adjusted income is the eligible individual's adjusted income for the immediately preceding taxation year that ended before the beginning of the payment period.

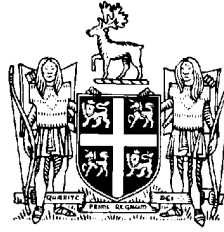
Application of
subsection 38(6) of
Act

4. Subsection 38(6) of the Act shall apply to an amount considered to be an overpayment of tax under these regulations.

Commencement

5. These regulations come into force on July 1, 2025.

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NEWFOUNDLAND AND LABRADOR REGULATION 103/24

Interactive Digital Media Tax Credit Regulations (Amendment)
under the
Income Tax Act, 2000
(O.C. 2024-212)

(Filed December 23, 2024)

Under the authority of section 46.3 of the *Income Tax Act, 2000*,
the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, December 20, 2024.

Krista Quinlan
Clerk of the Executive Council

REGULATIONS

Analysis

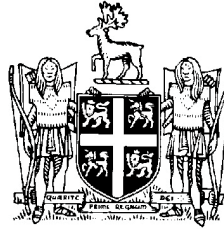
1. S.9 Amdt.
Tax credit certificate

NLR 84/15
as amended

1. Subsection 9(2) of the *Interactive Digital Media Tax Credit Regulations* is repealed and the following substituted:

(2) A tax credit certificate may only be issued with respect to eligible salaries and eligible remuneration incurred by an eligible corporation after December 31, 2014.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 104/24**

*Rules of the Supreme Court, 1986 (Amendment)
under the
Judicature Act*

(Filed December 23, 2024)

Under the authority of section 55 of the *Judicature Act*, the Rules Committee of the Supreme Court makes the following Rules.

Dated at St. John's, December 18, 2024.

Raymond P. Whalen
Chairperson, Rules Committee

RULES

Analysis

- | | |
|---------------------|--|
| 1. Rule 6A R&S | 6A.01. Service by electronic transmission or fax |
| RULE 6A | 6A.02 Information included |
| SERVICE BY | 6A.03 Limits on document size |
| ELECTRONIC | 6A.04 When service is effective |
| TRANSMISSION OR FAX | |

- | | |
|--|--|
| <p>2. Rule F4A Added</p> <p>Rule F4A – Notice of Intention to Proceed after Twelve Months' Delay</p> <p>F4A.01 Notice of intention to proceed after twelve months' delay</p> <p>3. Rule F15.03 Amdt.
Availability of interim applications</p> <p>4. Rule F16A Added</p> <p>Rule F16A – Interim Applications under the Family Orders and Agreements Enforcement Assistance Act</p> <p>F16A.01 Scope of rule</p> <p>F16A.02 When an application to court may be made</p> <p>F16A.03 Making an application with notice</p> <p>F16A.04 Making an application to court without notice</p> <p>F16A.05 Responding to an application with notice</p> | <p>F16A.06 How to reply to a response to an application with notice</p> <p>F16A.07 Requirement to attend a hearing of an application with notice</p> <p>F16A.08 What a judge can do at a hearing of an application with notice</p> <p>F16A.09 What a judge may do on an application to court without notice</p> <p>5. Rule F17.01 R&S
Scope of rule</p> <p>6. Rule F18.03 Amdt.
Getting permission to make an interim application before the first case management hearing</p> <p>7. Rule F32.02 Amdt.
Format for affidavits</p> <p>8. Forms added</p> <p>9. Forms R&S</p> <p>10. Commencement</p> |
|--|--|

1. Rule 6A of the Rules of the Supreme Court, 1986 is repealed and the following substituted:

**RULE 6A
SERVICE BY ELECTRONIC TRANSMISSION
OR FAX**

Service by electronic transmission or fax

6A.01 (1) A party may, as part of their address for service included in a pleading or a notice under these rules or a letter enclosing a pleading or notice, include one of the following:

- (a) a fax number;
- (b) an e-mail address; or
- (c) an account with an electronic document delivery service.

(2) Where a document is not required to be served personally, service of the document may, in accordance with this Rule, be effected in one of the following ways

- (a) if an e-mail address is provided as part of the person's address for service in a pleading, in a notice, or in a letter enclosing a pleading or notice, by e-mailing the document to that e-mail address;
- (b) if a fax number is provided as part of the person's address for service in a pleading, in a notice, or in a letter enclosing a pleading or notice, by faxing the document to that fax number; or
- (c) if an account with an electronic document delivery service is provided as part of the person's address for service in a pleading, in a notice, or in a letter enclosing a pleading or notice, by submitting the document through that electronic document delivery service.

Information included

6A.02 A document that is served in accordance with this rule shall include the following information. If the document is sent by fax, the information must appear on the cover page:

- (a) the name, address and telephone number of the sender;
- (b) the name of the solicitor or person to be served;
- (c) the date and time of the transmission;
- (d) the total number of pages transmitted, including the cover page and the backsheet, if applicable;
- (e) that the transmission is for service of court documents;
- (f) the electronic address or fax number from which the document is transmitted; and
- (g) the name and telephone number of a person to contact in the event of a transmission problem.

Limits on document
size

6A.03 (1) The following documents may not be served by electronic transmission or fax under this rule unless the solicitor or person to be served gives prior consent:

- (a) a list of documents;
- (b) a trial record;
- (c) a record of the proceedings heard before a decision-making authority;
- (d) a book of documents; or
- (e) a document exceeding 50 single-sided pages, inclusive of cover page and backsheet.

(2) A document of 30 pages or more, inclusive of the cover page and backsheet, if served by fax, may be served only between the hours of 5 p.m. and 8 a.m. of the following day, unless the solicitor or person to be served gives prior consent.

When service is
effective

6A.04 Service of a document by electronic transmission or fax in accordance with this rule is effective

- (a) if the document is transmitted before 4 p.m., on the day of the transmission; or
- (b) if the document is transmitted after 4 p.m., or at any time on a Saturday, Sunday or holiday, on the next day that is not a Saturday, Sunday or holiday.

2. The rules are amended by adding immediately after Rule F4 the following:

**Rule F4A – Notice of Intention to Proceed after
Twelve Months' Delay**

Notice of intention
to proceed after
twelve months'
delay

F4A.01 (1) Subject to subrule (3), where twelve months or more have elapsed since the last step in a proceeding, the party who desires to proceed shall, unless the Court otherwise orders, give to every other party not less than one month's notice of that party's intention to proceed in Form F4A.01A.

(2) Where a party is giving notice in Form F4A.01A, the party must file and, in accordance with rule F8 (“Providing Notice and Serving Documents on Other Parties or Persons”), serve Form F4A.01A on every other party to give notice.

(3) Unless a judge orders otherwise, notice of a party’s intention to proceed is not required where one or more of the following applies:

- (a) a Notice of Default has been filed against that party and the party has not filed a Demand for Notice;
- (b) the party is making an application in accordance with rule F16 or Rule F16A;
- (c) the party is making an application in accordance with rule F17;
- (d) the party is making an application under section 14 of the *Support Orders Enforcement Act, 2006*;
- (e) the party is making an application for the enforcement of an order;
- (f) a statute permits a person to make an application without notice.

3. The rules are amended by deleting the word "or" at the end of rule F15.03(1)(c) and repealing rule F15.03(1)(d) and substituting the following:

- (d) after a case management hearing has been held dealing with the claim to which the proposed interim application relates where the party applying has an issue which requires a timely resolution or which otherwise cannot await final resolution of the claim. An application filed under the rule that a judge determines does not require a timely resolution or could await final resolution of the claim, may result in a costs award against the applicant; or
- (e) where the proposed interim application seeks a contempt order or an order permitting the relocation of a child, only if a judge has granted a party permission to proceed with the interim application in accordance with rule F18.03(1.1).

4. The rules are amended by adding immediately after rule F16 the following:

Rule F16A – Interim Applications under the *Family Orders and Agreements Enforcement Assistance Act*

Scope of rule

F16A.01 (1) This rule sets out procedures respecting applications to court under the *Family Orders and Agreements Enforcement Assistance Act* (Canada), including

- (a) when to make an application to court under the Act;
- (b) the forms to complete and file when making an application under the Act;
- (c) how to respond to an application with notice under the Act;
- (d) requirements for attendance at the hearing under the Act; and
- (e) what a judge may do upon reviewing or hearing the application.

(2) This rule applies to applications to court pursuant to the *Family Orders and Agreements Enforcement Assistance Act* (Canada) notwithstanding rules F16, F17, and F18.

(3) To the extent that the rules are inconsistent with the *Family Orders and Agreements Enforcement Assistance Act* (Canada) and the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations* (Canada), the provisions of the Act and Regulations will apply.

(4) References to an “access provision,” “contact provision,” “custody provision,” “family provision,” “parenting provision,” or “support provision” throughout this Rule have the meaning given to these terms under the Act.

When an application to court may be made

F16A.02 (1) A person, body or service that is seeking to have a support provision established or varied may, at any time during a proceeding, make an application to court pursuant to the *Family Orders and*

Agreements Enforcement Assistance Act (Canada) to assist with the establishment or variation of a support provision.

(2) Where there is an existing order containing a family provision, a person, body or service that is entitled to have the provision enforced may, at any time, make an application to court under the *Family Orders and Agreements Enforcement Assistance Act* (Canada) to assist with the enforcement of that family provision.

Making an application with notice

F16A.03 (1) A person, body or service making an application to court with notice to assist with the establishment or variation of a support provision must complete and file an application in Form F18.03A and an affidavit in Form F16A.03A.

(2) A person, body or service making an application to court with notice to assist with the enforcement of a support provision must complete and file an application in Form F18.03A and an affidavit in Form F16A.03B.

(3) A person, body or service making an application to court with notice to assist with the enforcement of a parenting provision, contact provision, custody provision, or access provision must complete and file an application in Form F18.03A and an affidavit in Form F16A.03C.

(4) Where a person, body or service completes and files an application and affidavit with notice under rule F16A.03, a registry clerk must issue the application and affidavit and set a date for the hearing.

(5) A person, body or service who makes an application under rule F16.03A must, in accordance with rule F8 (“Providing Notice and Serving Documents on Other Parties or Persons”), serve a copy of the issued application and affidavit on the other parties to the application at least 10 days before the scheduled hearing date, unless the parties agree or a judge has permitted otherwise.

(6) Where an application is made in relation to the variation of a support provision or the enforcement of a family provision, the party shall also file a copy of the order that contains the provision or provisions in question.

Making an application to court without notice

F16A.04 (1) A person, body or service making an application to court without notice to assist with the establishment or variation of a support provision must complete and file an application in Form F16.03A and an affidavit in Form F16A.04A.

(2) A person, body or service making an application to court without notice to assist with the enforcement of a support provision must complete and file an application in Form F16.03A and an affidavit in Form F16A.04B.

(3) A person, body or service making an application to court without notice to assist with the enforcement of a parenting provision, contact provision, custody provision, or access provision must complete and file an application in form F16.03A and an affidavit in Form F16A.04C.

(4) Where an individual makes an application without notice, the application must be accompanied by

- (a) the results of a recent criminal record check in respect of the applicant; and
- (b) copies of any court orders, agreements, undertakings, or recognizances or any other document that is of a similar nature that restricts the applicant's communication or contact with the person, child, or children who are the subject of the application.

(5) Where an application is made in relation to the variation of a support provision or the enforcement of a family provision, the party shall also file a copy of the order that contains the provision or provisions in question.

Responding to an application with notice

F16A.05 Any person served with an application under this rule who intends to oppose the application must

- (a) file one affidavit in response, in a form that complies with rule F32 ("Evidence and Affidavits"), setting out their position; and
- (b) serve, in accordance with Rule F8 ("Providing Notice and Serving Documents on Other Parties or Persons"), a copy of

the affidavit in response on every other party to the application at least four days before the hearing of the application.

How to reply to a response to an application with notice

F16A.06 Any person served with an affidavit in response may

- (a) file one affidavit in reply, in a form that complies with rule F32 (“Evidence and Affidavits”), responding to the position raised in the affidavit in response; and
- (b) serve, in accordance with Rule F8 (“Providing Notice and Serving Documents on Other Parties or Persons”), a copy of the affidavit in reply on every other party to the application at least two days before the hearing of the application.

Requirement to attend a hearing of an application with notice

F16A.07 The parties and their lawyers must attend a hearing under this rule in person, unless a judge

- (a) permits a party or lawyer to appear remotely pursuant to rule F41 (“Appearing Remotely”); or
- (b) excuses the party or lawyer from attending.

What a judge can do at a hearing of an application with notice

F16A.08 Upon hearing an application with notice, the judge may

- (a) make a decision on the basis of the application and affidavits filed and the oral arguments of the parties;
- (b) disregard an affidavit in response or reply that is not filed and served in time or that does not comply with rule F32 (“Evidence and Affidavits”), and may award costs against the party filing it;
- (c) give permission to one or more parties to cross-examine a deponent;
- (d) order that a party or witness give oral evidence;
- (e) give other directions relating to the conduct of the application.

What a judge may do on an application to court without notice

F16A.09 Upon considering an application without notice, a judge may do one or more of the following:

- (a) grant the application without any party or person appearing;
- (b) dismiss the application;
- (c) require the applicant to provide additional information as directed by the judge;
- (d) require the applicant to appear in Court to address the application;
- (e) refuse to hear the application until notice is provided to a party or person affected by or interested in the application;
- (f) shorten the time for providing notice;
- (g) permit substituted service;
- (h) order that a hearing be held as quickly as possible;
- (i) make an order that balances the interests of the applicant with the interests of a party or person affected by or interested in the application.

5. Rule F17.01 is repealed and the following substituted:

Scope of rule

F17.01 (1) This rule sets out

- (a) when a party may make an emergency interim application for a temporary order without providing notice to the other party or a person affected by the application;
- (b) the forms to complete and the documents to file to make the application;
- (c) what a judge may do upon review of the application; and
- (d) what happens after a judge has granted an order under this rule.

(2) An “emergency” for the purpose of this rule is determined on an objective basis. An emergency will only exist if a court order is necessary to remedy the situation and the judge determines that notice to the other party is not required.

6. The rules are amended by adding immediately after rule F18.03(1) the following:

(1.1) Notwithstanding rules F18.03(1) and F18.04(1), a party must always seek permission where a proposed interim application seeks a contempt order or an order permitting relocation of a child.

7. Rule F32.02(3) is repealed and the following substituted the following:

(3) The total number of pages attached to affidavits shall not exceed 10 pages.

8. The rules are amended by adding the following forms:

- (a) F4A.01A;
- (b) F16A.03A;
- (c) F16A.03B;
- (d) F16A.03C;
- (e) F16A.04A;
- (f) F16A.04B; and,
- (g) F16A.04C.

9. The rules are amended by repealing and substituting the following forms:

- (a) 6.14A;
- (b) F16.03A;
- (c) F17.03A;
- (d) F26.02A;
- (e) F34.02A; and
- (f) F35.03A.

10. These regulations come into force on January 20, 2025.

Commencement

©King's Printer

Form 6.14A

(rule 6.14(1))

File number: 20____ G _____

**IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
GENERAL DIVISION****BETWEEN:***(Plaintiff's name)***PLAINTIFF****AND:***(Defendant's name)***DEFENDANT***(Modify title of proceeding as necessary.)***Affidavit of Service**I, *(person serving the document)*, of *(city of residence)*, make oath and say as follows:**(Personal Service)**TO: *(name of person being served)*

1. On (date), at (time), I served *(name of person served)* with the *(identify documents served)* by leaving a copy with him (or her) at *(address where service was made)*.

(Where the rules provide for personal service on a corporation, etc. by leaving a copy of the document with another person, substitute: by leaving a copy with (identify person by name and title) at (address where service was made).)

2. I was able to identify the person by means of *(state the means by which the person's identity was ascertained.)*

(Service by leaving a copy with an adult person in the same household as an alternative to personal service)

1. I served *(name of person served)* with the *(identify documents served)* by leaving a copy on (date), at (time), with a person, *(insert name if known)*, who appeared to be an adult member of the same household in which *(name of person served)* is residing, at *(address where service was made)*, and by sending a copy by regular

lettermail (*or registered or certified mail*) on (*date*) to (*identify person served*) at the same address.

2. I ascertained that the person was an adult member of the household by means of (*state how it was ascertained that the person was an adult member of the household*).
3. Before serving the documents in this way, I made an unsuccessful attempt to serve (*name of person served*) personally at the same address on (*date*). (*If more than one attempt has been made, add: and again on (date).*)

(Service by registered mail as an alternate to personal service)

1. On (*date*), I sent to (*name of person served*) by registered mail with Canada Post Corporation item # (*include number*) attached to the envelope, a copy of the (*identify documents served*).
2. Attached is the confirmation of delivery receipt obtained from Canada Post Corporation for item # (*include number*) showing the envelope was delivered to (*name of person served*) on (*date of receipt*).
3. The item # on the confirmation of delivery receipt is identical to the item number on the registered mail receipt obtained from Canada Post Corporation for the envelope sent to (*address where mail was delivered*).

(Service by certified mail as an alternative to personal service)

1. On (*date*), I sent to (*name of person served*) by certified mail a copy of the (*identify documents served*).
2. I received the attached receipt card from Canada Post Corporation which indicates the documents were received on (*date*) and which bears a signature that purports to be the signature of (*identify person*).

(Service by regular lettermail as an alternative to personal service)

1. On *(date)*, I sent to the *(name of person served)* by regular lettermail a copy of the *(identify documents served)* together with an acknowledgment of receipt form.
2. On *(date)*, I received the attached acknowledgment of receipt form bearing a signature that purports to be the signature of *(identify person)*.

(Service on a party who has a solicitor as an alternative to personal service)

1. On *(date)*, I sent to the *(name of solicitor)*, solicitor for the *(identify person)*, by *(state the means by which a copy of documents was provided)* a copy of the *(identify documents served)*.
2. On *(date)*, the *(name of solicitor)*, solicitor for the *(identify person)*, endorsed on the *(identify documents)*, or on a copy of the *(identify documents)*, that he or she accepts service and that *(date)* is the date of acceptance.

SWORN/AFFIRMED

at _____ *(city/town)*,
 _____ *(province*
or, if outside of Canada, country), on the
 _____ *(day)* of _____
(month), _____ *(year)*, before me

(signature)
 Commissioner, notary public, etc.

(signature of affiant)

Form F4A.01A: Notice of Intention to Proceed (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
(General/Family)**

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN:

(Print full name)

☐ APPLICANT☐ CO-APPLICANT

AND:

(Print full name)

☐ RESPONDENT☐ CO-APPLICANT

AND:

(Print full name)

☐ NOT APPLICABLE☐ SECOND APPLICANT☐ SECOND RESPONDENT☐ CO-APPLICANT

Notice: _____, the ☐ Applicant ☐ Respondent ☐ Other:
(Print your name)

intends to proceed.

No steps can be taken until one month after this notice has been served.

DATED at _____, this _____ day of _____, 20____.

Signature

How to Make an Interim Application for a Procedural Order Instructions

You can make an **Interim Application for a Procedural Order (Form 16.03A)** in your family law proceeding if you need an order that does not directly deal with your family law issues (for divorce, parenting, support, etc.). For example, if you cannot serve the other person with court documents, you can make an application for substituted service.

When You Can Make an Interim Application for a Procedural Order

You can make an Interim Application for a Procedural Order at any time. You can make an Interim Application for a Procedural Order for a number of reasons. For example:

- 1) You are seeking access to a court file;
- 2) You cannot obtain your marriage certificate (or registration of marriage);
- 3) You are seeking an extension of time to file financial information;
- 4) You are seeking an order to dispense with the requirement to include the respondent's contact information in your Originating Application or Originating Application to Vary;
- 5) You are seeking a renewal of an Application;
- 6) You are seeking an order relating to the manner or timing of service of a document;
- 7) A rule in the *Supreme Court Family Rules* allows you to make an Interim Application for a Procedural Order;
- 8) A judge has given you permission to make an Interim Application for a Procedural Order.

Completing Your Application

You can fill out this form by hand or you can download and fill out this form electronically at <https://www.court.nl.ca/supreme/rules-practice-notes-and-forms/family/general/> (If you fill out the form electronically, you must still print the form and file it with the Court). You must fill out the entire form. If you require more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing Your Application

To file your Interim Application, you can either bring it to a Supreme Court location near you or you can mail it to a Supreme Court location near you (with the filing fee attached). You can look up the fees online: <https://www.court.nl.ca/supreme/schedule-of-fees/>. You do not need to give a copy of this Application to the other person unless a judge orders you to do so.

You must also file: 1) a typed draft **Order** along with 1 extra copy of that Order. You can get an Order form from any Supreme Court location or online: <https://www.court.nl.ca/supreme/rules-practice-notes-and-forms/family/general/>. The Order form for this application is titled **Order (Family Law)**, and on Page 1, you can select **Procedural Order**.

The Court will contact you to let you know if your procedural order is granted or not. Sometimes a judge will ask that you attend a court hearing to hear your application. If you need to attend a hearing, the Court will contact you with a date and time. If your procedural order is granted, you will need to give a copy of the order to the other person immediately.

More Information

Questions? Go to <https://www.court.nl.ca/supreme/family-division/> or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING THIS APPLICATION ---

Form F16.03A: Interim Application for a Procedural Order (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
(General/Family)**

FOR COURT USE ONLY

COURT FILE NO: _____

CENTRAL DIVORCE REGISTRY NO: _____

Filed at _____, Newfoundland and
Labrador, this _____ day of _____, 20____.

Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

☐ NOT APPLICABLE
☐ SECOND APPLICANT
☐ SECOND RESPONDENT

FOR COURT USE ONLY

HEARING DATE (if applicable)

The hearing for this application is scheduled to be heard in the Supreme Court of Newfoundland and Labrador:

Location: Supreme Court in _____, Newfoundland and
Labrador

Address:

Date:

Time: _____ am / pm

I, _____, the ☐ Applicant ☐ Respondent ☐ Other:
 (Print your name)

am seeking an procedural order without providing notice to any other party.

Part A Basis of application

Check the box that applies to you:

<input type="checkbox"/>	I am an officer of the Court and I am seeking access to a Court file. (If you are not an officer of the Court and you are seeking access to a Court file, you must file an Interim Application (Form F18.03A))
<input type="checkbox"/>	I cannot obtain my original marriage certificate (or registration of marriage).
<input type="checkbox"/>	I am seeking an extension of time to file financial information which must accompany an Originating Application or Originating Application for Variation.
<input type="checkbox"/>	I cannot obtain the Respondent's contact information, despite having made reasonable attempts.
<input type="checkbox"/>	I am seeking an order to renew an Originating Application or Originating Application for Variation.
<input type="checkbox"/>	I am seeking an order relating to the manner or timing of service of a document. (eg. substituted service, dispensing with service, etc.)
<input type="checkbox"/>	Rule (specify rule number) _____ permits this application to be made.
<input type="checkbox"/>	Other: _____

Part B Procedural order(s) sought

Fill in what you are seeking:

--

Part C Reasons for seeking procedural order(s) (Affidavit)

Fill in the reasons why you are seeking the procedural order(s):

Statement of Truth

You must swear or affirm that the facts and information that you have written in this Interim Application for a Procedural Order and any attachments is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this application at the Court when you file it.

I declare the facts and information in this Interim Application for a Procedural Order are true to the best of my knowledge and belief.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature

Signature of Person Authorized to Administer Oaths

Lawyer's Signature for Fee Waiver

I am employed by the Newfoundland and Labrador Legal Aid Commission or a Newfoundland and Labrador government department under the *Executive Council Act* and I am the lawyer of record in this matter.

Signature of Lawyer (if any)

Print Name of Lawyer (if any)

Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

Form F16A.03A: Affidavit (FOAEAA) - Establish or Vary a Support Provision (Inter partes)



In the Supreme Court of
Newfoundland and Labrador
(General/Family)

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20_____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

☐ NOT APPLICABLE
☐ SECOND APPLICANT
☐ SECOND RESPONDENT

This affidavit is made in support of an application by a person under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.C.S., 1985, c.4 (2nd Supp.) to assist with the establishment or variation of a support provision.

I, _____, of _____
(Print your name) (City and Province)

swear or affirm that:

1. I, _____, am or will be seeking to have a support
(Print your name)

provision (check the one that apply):

- ☐ established; or
☐ varied

(January 2025)

Page 1 of 4

Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

2. I make this affidavit in support of an application under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C. 1985, c.4 (2nd Supp.) (the "FOAEAA") to request that the court make an order under section 10 of that Act to authorize an official of the court to apply for the release of information under section 12 of that Act for the above-mentioned purpose.

3. The application under section 7 of the FOAEAA is made for the following reasons:

a.	_____

b.	_____

c.	_____

4. The information to be requested under section 12 the FOAEAA relates to

(Name of the person to whom the requested information relates)

5. The information is necessary to:

- ☐ establish a support provision; or
☐ vary a support provision

6. The information that is being requested for release under section 5(1) of the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations* (Canada) is as follows:

- ☐ The address of the person named in this application
☐ The name and address of the employer of the person named in this application
☐ The information related to the person named in this application, other than their Social Insurance Number, that is set out in the federal tax form(s) checked below, and that is requested for the following taxation year(s) unless otherwise specified beside the specific form:

(Specific taxation year(s) for which the information is requested)

Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

Federal Tax Form(s)	Year(s) requested (if different than above)
Basic Information	
<input type="checkbox"/> Income Tax and Benefits Return (T1)	
<input type="checkbox"/> Schedule 1 – Federal Tax	
<input type="checkbox"/> Schedule 2 – Federal Amounts Transferred from your spouse or Common-Law Partner	
<input type="checkbox"/> Schedule 3 – Capital Gains (or Losses)	
<input type="checkbox"/> Schedule 4 – Statement of Investment Income	
<input type="checkbox"/> Schedule 5 – Amounts for Spouse or Common-Law Partner and Dependants	
<input type="checkbox"/> Schedule 6 – Canada Workers Benefit	
<input type="checkbox"/> Schedule 7 – RRSP, PRPP, and SPP Unused Contributions, Transfers, and HBP or LLP Activities	
<input type="checkbox"/> Schedule 8 – Canada Pension Plan Contributions and Overpayment	
<input type="checkbox"/> Schedule 9 – Donations and Gifts	
<input type="checkbox"/> Schedule 10 – Employment Insurance (EI) and Provincial Parental Insurance Plan (PPIP) Premiums	
<input type="checkbox"/> Schedule 11 – Federal Tuition, Education, and Textbook Amounts and Canada Training Credit	
<input type="checkbox"/> Schedule 12 – Home Expense Accessibility	
<input type="checkbox"/> Schedule 13 – Employment Insurance Premiums on Self-Employment and Other Eligible Earnings	
<input type="checkbox"/> Schedule 14 – Climate Action Incentive	
For non-resident and deemed residents:	
<input type="checkbox"/> Schedule A – Statement of World Income (for Non-Residents and Deemed Residents of Canada)	
<input type="checkbox"/> Schedule B – Allowable Amount of Non-Refundable Tax Credits (for Non-Residents of Canada)	
<input type="checkbox"/> Schedule C – Electing Under Section 217 of the Income Tax Act (for Non-Residents of Canada)	
<input type="checkbox"/> Notice of Assessment and Notice of Reassessment	
<input type="checkbox"/> Statement of Trust Income Allocations and Designations (T3)	
<input type="checkbox"/> Statement of Remuneration Paid (T4)	
<input type="checkbox"/> Statement of Pension, Retirement, Annuity, and Other Income (T4A)	
<input type="checkbox"/> Statement of Old Age Security (T4A(OAS))	
<input type="checkbox"/> Statement of Canada Pension Plan Benefits (T4A(P))	
<input type="checkbox"/> Statement of Distributions from a Retirement Compensation Arrangement (RCA) (T4A-RCA)	
<input type="checkbox"/> Statement of Employment Insurance and Other Benefits (T4E) or Statement of Employment Insurance and Other Benefits (Quebec) (T4EQ)	
<input type="checkbox"/> Statement of Employee Profit-Sharing Plan Allocations and Payments (T4PS)	
<input type="checkbox"/> Statement of Income from a Registered Retirement Income Fund (T4RIF)	
<input type="checkbox"/> Statement of RRSP Income (T4RSP)	
<input type="checkbox"/> Statement of Investment Income (T5)	
<input type="checkbox"/> Statement of Real Estate Rentals (T776)	
<input type="checkbox"/> Statement of Employment Expenses (T777)	

(January 2025)

Page 3 of 4

Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

<input type="checkbox"/> Government Service Contract Payments (T1204)	
<input type="checkbox"/> Statement of Farming Activities (T2042) and documents related to the AgriStability and AgriInvest programs	
<input type="checkbox"/> Statement of Fishing Activities (T2121)	
<input type="checkbox"/> Statement of Business or Professional Activities (T2125)	
<input type="checkbox"/> Declaration of Conditions of Employment (T2200)	
<input type="checkbox"/> Statement of Benefits (T5007)	
<input type="checkbox"/> Statement of Securities Transactions (T5008)	
<input type="checkbox"/> Statement of Partnership Income (T5013)	
<input type="checkbox"/> Statement of Contract Payments (T5018)	

- ☐ The information that is set out in the federal tax form(s) specified in the attached annex(es) related to the corporation(s) identified below:

(Name of the corporation)

(Name of the corporation)

(Name of the corporation)

7. The information will only be used for the purpose identified in this affidavit.

8. I make this affidavit in good faith.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature

Signature of Person Authorized to Administer Oaths

(January 2025)

Page 4 of 4

Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

ANNEX

**In the Supreme Court of
Newfoundland and Labrador
(General/Family)**

FOR COURT USE ONLY

COURT FILE NO: _____

CENTRAL DIVORCE REGISTRY NO: _____

Filed at _____, Newfoundland and
Labrador, this _____ day of _____, 20____.

Registry Clerk of the Supreme Court of Newfoundland and Labrador

Information requested concerning a person's corporation

In relation to the application of _____
(Full name of the party making application)

made pursuant to section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C., 1985, c.4 (2nd Supp.) (FOAEAA) for the purpose of _____ a support provision.
(establishing or varying)

The information is sought related to

(Name of the corporation)

that is controlled directly or indirectly within the meaning of subsection 256(5.1) of the *Income Tax Act*, RSC 1985, c.1 (5th Supp.) by

(Name of person against whom a support provision is sought or is to be varied)

and that are set out in the federal tax form(s) checked below and that can be found in federal information banks prescribed in section 2 of the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations*, SOR/2023-125:

- ☐ The information that is set out in the federal tax form(s) checked below is requested for the following taxation year(s) unless otherwise specified beside the specific form:

(Specific taxation year(s) for which the information is requested)

(January 2025)

Page 1 of 2

Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

Federal Tax Form(s)	Year(s) requested (if different than above)
<input type="checkbox"/> T2– Corporation Income Tax Return	
<input type="checkbox"/> Schedule 1 – Net Income (loss) for Income Tax Purposes	
<input type="checkbox"/> Schedule 5 – Tax Calculation Supplementary – Corporations (this provides details of any provincial tax or credits)	
<input type="checkbox"/> Schedule 6 – Summary of Dispositions of Capital Property	
<input type="checkbox"/> Schedule 100 – Balance Sheet Information	
<input type="checkbox"/> Schedule 50 – Shareholder Information	
<input type="checkbox"/> Schedule 125 – Income Statement Information	

(January 2025)

Page 2 of 2

**Form F16A.03B: Affidavit (*FOAEAA*) – Enforce
Support Provision
(*Inter partes*)**



**In the Supreme Court of
Newfoundland and Labrador
(General/Family)**

	FOR COURT USE ONLY
COURT FILE NO: _____	
CENTRAL DIVORCE REGISTRY NO: _____	
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20_____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

☐ NOT APPLICABLE
☐ SECOND APPLICANT
☐ SECOND RESPONDENT

This affidavit is made in support of an application by a person under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.C.S., 1985, c.4 (2nd Supp.) to assist with the enforcement of a support provision.

I, _____, of _____
(Print your name) (City and Province)

swear or affirm that:

1. I make this affidavit in support of an application under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C. 1985, c.4 (2nd Supp.) (the "FOEAA") to request that the court make an order under section 10 of that Act to authorize an official of the court to apply for the release of information under section 12 of that Act for the above-mentioned purpose.

Affidavit (FOAEAA) – Enforce Support Order

Supreme Court of Newfoundland and Labrador

2. The application under section 7 of the FOAEAA is made for the following reasons (note, section 9 of the FOAEAA requires there to be an alleged breach of the support provision. You must set out particulars of the breach and identify the person in arrears):

a.	_____

b.	_____

c.	_____

3. The information to be requested under section 12 the FOAEAA relates to

(Name of the person to whom the requested information relates)

4. The information to be requested under section 12 of the FOAEAA is necessary to enforce a support provision.
5. The information that is being requested for release under section 5(2) of the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations* (Canada) is as follows
- ☐ The address of the person named in this application
 - ☐ The name and address of the employer of the person named in this application

The information related to the person named in this application for preceding taxation year:

- ☐ The information set out in the person's Income Tax and Benefit Return (T1), other than their Social Insurance Number and information set out only in the schedules
- ☐ The information set out in the person's Notice of Assessment and Notice of Reassessment, other than their Social Insurance Number
- ☐ The name and address of each person and entity from which they received income and the amount of income received from each

Affidavit (FOAEAA) – Enforce Support Order

Supreme Court of Newfoundland and Labrador

6. The information will only be used for the purpose identified in this affidavit.
7. I make this affidavit in good faith.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature

Signature of Person Authorized to Administer Oaths



	FOR COURT USE ONLY
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20_____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

AND: _____
(Print full name)

☐ NOT APPLICABLE
☐ SECOND APPLICANT
☐ SECOND RESPONDENT

Affidavit (FOAEAA) - Enforce Parenting Contact Custody or Access

Supreme Court of Newfoundland and Labrador

2. I make this affidavit in support of an application under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C. 1985, c.4 (2nd Supp.) (the "FOAEAA") to request that the court make an order under section 10 of that Act to authorize an official of the court to apply for the release of information under section 12 of that Act for the above-mentioned purpose.
3. The application under section 7 of the FOAEAA is made for the following reasons (section 9 of the FOAEAA requires that you set out particulars of the breach and identify the person that is believed to have with them the child or children who is or are the subject of the provision):

a.	_____

b.	_____

c.	_____

4. The information to be requested under section 12 of the FOAEAA relates to _____.
(Name of the person to whom the requested information relates)
5. The information to be requested under section 12 of the FOAEAA is necessary to enforce a provision of an order related to (check the one that apply):
- ☐ parenting;
 - ☐ contact;
 - ☐ custody; or
 - ☐ access.
6. The information that is being requested for release under section 5(4) of the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations* (Canada) is as follows:
- ☐ The address of the person named in this application
 - ☐ The name and address of the employer of the person named in this application
 - ☐ The name and address of the child or children who is or are subject of the provision to be enforced
 - ☐ The name and address of the employer of the child or children who is or are subject of the provision to be enforced

Affidavit (FOAEAA) - Enforce Parenting Contact Custody or Access

Supreme Court of Newfoundland and Labrador

7. The information will only be used for the purpose identified in this affidavit.

8. I make this affidavit in good faith.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature

Signature of Person Authorized to Administer Oaths

(January 2025)

Page 3 of 3

Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

Form F16A.04A: Affidavit (FOAEAA) - Establish or Vary a Support Provision (Ex parte)



In the Supreme Court of
Newfoundland and Labrador
(General/Family)

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

☐ NOT APPLICABLE
☐ SECOND APPLICANT
☐ SECOND RESPONDENT

This affidavit is made in support of an application by a person under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.C.S., 1985, c.4 (2nd Supp.) to assist with the establishment or variation of a support provision.

I, _____, of _____
(Print your name) (City and Province)

swear or affirm that:

- I, _____, am or will be seeking to have a support
(Print your name)
provision (check the one that apply):
☐ established; or
☐ varied
- I make this affidavit in support of an application under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C. 1985, c.4 (2nd Supp.) (the "FOAEAA") to request that the court make an

(January 2025)

Page 1 of 5

Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

order under section 10 of that Act to authorize an official of the court to apply for the release of information under section 12 of that Act for the above-mentioned purpose.

3. The application under section 7 of the FOAEAA is made for the following reasons:

a.	_____

b.	_____

c.	_____

4. The information to be requested under section 12 the FOAEAA relates to

(Name of the person to whom the requested information relates)

5. Reasonable steps have been taken to locate _____.
(Name of the person to whom the requested information relates)

Those steps are:

a.	_____

b.	_____

c.	_____

6. _____ has not been located.
(Name of the person to whom the requested information relates)

Paragraphs 7 to 9 must be completed where the Application is being filed by an individual. If applicable, provide details and supporting documentation for paragraphs 8 to 10.

7. The sole purpose of the application under section 7 of the FOAEAA is to obtain information to _____ a support provision.
(establish or vary)

Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

8. I (am / am not) subject to :

- ☐ any court order, agreement, undertaking or recognizance or any other document of a similar nature restricting communication or contact with

_____; and
(Name of the person or children to whom the requested information relates)

- ☐ any proceeding restricting communication or contact with

_____.
(Name of the person or children to whom the requested information relates)

9. I (have / have not) caused or attempted to cause physical harm to

(Name of the person or children to whom the requested information relates)

or have caused them to fear for their or someone else's safety or security.

10. I (was / was not) charged with or found guilty of an offence against

_____.
(Name of the person or children to whom the requested information relates)

11. The information to be requested under section 12 of the FOAEAA is necessary to:

- ☐ establish a support provision; or
☐ vary a support provision

12. The information that is being requested for release under section 5(1) of the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations* (Canada) is as follows:

- ☐ The address of the person named in this application
☐ The name and address of the employer of the person named in this application
☐ The information related to the person named in this application, other than their Social Insurance Number, that is set out in the federal tax form(s) checked below, and that is requested for the following taxation year(s) unless otherwise specified beside the specific form:

(Specific taxation year(s) for which the information is requested)

Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

Federal Tax Form(s)	Year(s) requested (if different than above)
Basic Information	
<input type="checkbox"/> Income Tax and Benefits Return (T1)	
<input type="checkbox"/> Schedule 1 – Federal Tax	
<input type="checkbox"/> Schedule 2 – Federal Amounts Transferred from your spouse or Common-Law Partner	
<input type="checkbox"/> Schedule 3 – Capital Gains (or Losses)	
<input type="checkbox"/> Schedule 4 – Statement of Investment Income	
<input type="checkbox"/> Schedule 5 – Amounts for Spouse or Common-Law Partner and Dependants	
<input type="checkbox"/> Schedule 6 – Canada Workers Benefit	
<input type="checkbox"/> Schedule 7 – RRSP, PRPP, and SPP Unused Contributions, Transfers, and HBP or LLP Activities	
<input type="checkbox"/> Schedule 8 – Canada Pension Plan Contributions and Overpayment	
<input type="checkbox"/> Schedule 9 – Donations and Gifts	
<input type="checkbox"/> Schedule 10 – Employment Insurance (EI) and Provincial Parental Insurance Plan (PPIP) Premiums	
<input type="checkbox"/> Schedule 11 – Federal Tuition, Education, and Textbook Amounts and Canada Training Credit	
<input type="checkbox"/> Schedule 12 – Home Expense Accessibility	
<input type="checkbox"/> Schedule 13 – Employment Insurance Premiums on Self-Employment and Other Eligible Earnings	
<input type="checkbox"/> Schedule 14 – Climate Action Incentive	
For non-resident and deemed residents:	
<input type="checkbox"/> Schedule A – Statement of World Income (for Non-Residents and Deemed Residents of Canada)	
<input type="checkbox"/> Schedule B – Allowable Amount of Non-Refundable Tax Credits (for Non-Residents of Canada)	
<input type="checkbox"/> Schedule C – Electing Under Section 217 of the Income Tax Act (for Non-Residents of Canada)	
<input type="checkbox"/> Notice of Assessment and Notice of Reassessment	
<input type="checkbox"/> Statement of Trust Income Allocations and Designations (T3)	
<input type="checkbox"/> Statement of Remuneration Paid (T4)	
<input type="checkbox"/> Statement of Pension, Retirement, Annuity, and Other Income (T4A)	
<input type="checkbox"/> Statement of Old Age Security (T4A(OAS))	
<input type="checkbox"/> Statement of Canada Pension Plan Benefits (T4A(P))	
<input type="checkbox"/> Statement of Distributions from a Retirement Compensation Arrangement (RCA) (T4A-RCA)	
<input type="checkbox"/> Statement of Employment Insurance and Other Benefits (T4E) or Statement of Employment Insurance and Other Benefits (Quebec) (T4EQ)	
<input type="checkbox"/> Statement of Employee Profit-Sharing Plan Allocations and Payments (T4PS)	
<input type="checkbox"/> Statement of Income from a Registered Retirement Income Fund (T4RIF)	
<input type="checkbox"/> Statement of RRSP Income (T4RSP)	
<input type="checkbox"/> Statement of Investment Income (T5)	
<input type="checkbox"/> Statement of Real Estate Rentals (T776)	
<input type="checkbox"/> Statement of Employment Expenses (T777)	

(January 2025)

Page 4 of 5

Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

<input type="checkbox"/> Government Service Contract Payments (T1204)	
<input type="checkbox"/> Statement of Farming Activities (T2042) and documents related to the AgriStability and AgriInvest programs	
<input type="checkbox"/> Statement of Fishing Activities (T2121)	
<input type="checkbox"/> Statement of Business or Professional Activities (T2125)	
<input type="checkbox"/> Declaration of Conditions of Employment (T2200)	
<input type="checkbox"/> Statement of Benefits (T5007)	
<input type="checkbox"/> Statement of Securities Transactions (T5008)	
<input type="checkbox"/> Statement of Partnership Income (T5013)	
<input type="checkbox"/> Statement of Contract Payments (T5018)	

- ☐ The information that is set out in the federal tax form(s) specified in the attached annex(es) related to the corporation(s) identified below:

(Name of the corporation)

(Name of the corporation)

(Name of the corporation)

13. The information will only be used for the purpose identified in this affidavit.

14. I make this affidavit in good faith.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature

Signature of Person Authorized to Administer Oaths

(January 2025)

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Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

ANNEX

**In the Supreme Court of
Newfoundland and Labrador
(General/Family)**

FOR COURT USE ONLY

COURT FILE NO: _____

CENTRAL DIVORCE REGISTRY NO: _____

Filed at _____, Newfoundland and
Labrador, this _____ day of _____, 20____.

Registry Clerk of the Supreme Court of Newfoundland and Labrador

Information requested concerning a person's corporation

In relation to the application of _____
(Full name of the party making application)

made pursuant to section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C., 1985, c.4 (2nd Supp.) (FOAEAA) for the purpose of _____ a support provision.
(establishing or varying)

The information is sought related to

(Name of the corporation)

that is controlled directly or indirectly within the meaning of subsection 256(5.1) of the *Income Tax Act*, RSC 1985, c.1 (5th Supp.) by

(Name of person against whom a support provision is sought or is to be varied)

and that are set out in the federal tax form(s) checked below and that can be found in federal information banks prescribed in section 2 of the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations*, SOR/2023-125:

- ☐ The information that is set out in the federal tax form(s) checked below is requested for the following taxation year(s) unless otherwise specified beside the specific form:

(Specific taxation year(s) for which the information is requested)

(January 2025)

Page 1 of 2

Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

Federal Tax Form(s)	Year(s) requested (if different than above)
<input type="checkbox"/> T2– Corporation Income Tax Return	
<input type="checkbox"/> Schedule 1 – Net Income (loss) for Income Tax Purposes	
<input type="checkbox"/> Schedule 5 – Tax Calculation Supplementary – Corporations (this provides details of any provincial tax or credits)	
<input type="checkbox"/> Schedule 6 – Summary of Dispositions of Capital Property	
<input type="checkbox"/> Schedule 100 – Balance Sheet Information	
<input type="checkbox"/> Schedule 50 – Shareholder Information	
<input type="checkbox"/> Schedule 125 – Income Statement Information	

(January 2025)

Page 2 of 2

Form F16.04B: Affidavit (FOAEAA) – Enforce Support Provision (Ex parte)



In the Supreme Court of
Newfoundland and Labrador
(General/Family)

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20_____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

☐ NOT APPLICABLE
☐ SECOND APPLICANT
☐ SECOND RESPONDENT

This affidavit is made in support of an application by a person under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C., 1985, c.4 (2nd Supp.) to assist with the enforcement of a support provision.

I, _____, of _____
(Print your name) (City and Province)

swear or affirm that:

- I make this affidavit in support of an application under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C. 1985, c.4 (2nd Supp.) (the "FOAEAA") to request that the court make an order under section 10 of that Act to authorize an official of the court to apply for the release of information under section 12 of that Act for the above-mentioned purpose.

Affidavit (FOAEAA) – Enforce Support Order

Supreme Court of Newfoundland and Labrador

2. The application under section 7 of the FOAEAA is made for the following reasons (note, section 9 of the FOAEAA requires there to be an alleged breach of the support provision. You must set out particulars of the breach and identify the person in arrears):

a.	_____

b.	_____

c.	_____

3. The information to be requested under section 12 the FOAEAA relates to

(Name of the person to whom the requested information relates)

4. Reasonable steps have been taken to locate _____.
(Name of the person to whom the requested information relates)

Those steps are:

a.	_____

b.	_____

c.	_____

5. _____ has not been located.
(Name of the person to whom the requested information relates)

Paragraphs 6 to 9 must be completed where the Application is being filed by an individual. If applicable, provide details and supporting documentation for paragraphs 7 to 9.

6. The sole purpose of the application under section 7 of the FOAEAA is to obtain information to enforce a support provision.
7. I (am / am not) subject to:
- ☐ any court order, agreement, undertaking or recognizance or any other document of a similar nature restricting communication or contact with _____; and
(Name of the person or children to whom the requested information relates)
- ☐ any proceeding restricting communication or contact with _____.
(Name of the person or children to whom the requested information relates)

(January 2025)

Page 2 of 3

Affidavit (FOAEAA) – Enforce Support Order

Supreme Court of Newfoundland and Labrador

8. I (have / have not) caused or attempted to cause physical harm to

(Name of the person or children to whom the requested information relates)

or have caused them to fear for their or someone else's safety or security.

9. I (was / was not) charged with or found guilty of an offence against

(Name of the person or children to whom the requested information relates)

10. The information to be requested under section 12 of the FOAEAA is necessary to enforce a support provision.

11. The information that is being requested for release under section 5(2) of the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations* (Canada) is as follows

- ☐ The address of the person named in this application
- ☐ The name and address of the employer of the person named in this application

The information related to the person named in this application for preceding taxation year:

- ☐ The information set out in the person's Income Tax and Benefit Return (T1), other than their Social Insurance Number and information set out only in the schedules
- ☐ The information set out in the person's Notice of Assessment and Notice of Reassessment, other than their Social Insurance Number
- ☐ The name and address of each person and entity from which they received income and the amount of income received from each

12. The information will only be used for the purpose identified in this affidavit.

13. I make this affidavit in good faith.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature

Signature of Person Authorized to Administer Oaths

Form F16.04C: Affidavit (FOAEAA) - Enforce Parenting, Contact, Custody, or Access Provision (Ex parte)



In the Supreme Court of
Newfoundland and Labrador
(General/Family)

FOR COURT USE ONLY

COURT FILE NO: _____

CENTRAL DIVORCE REGISTRY NO: _____

Filed at _____, Newfoundland and
Labrador, this _____ day of _____, 20____.

Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

☐ NOT APPLICABLE
☐ SECOND APPLICANT
☐ SECOND RESPONDENT

This affidavit is made in support of an application by a person under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.C.S., 1985, c.4 (2nd Supp.) to assist with the enforcement of a parenting, contact, custody, or access provision.

I, _____, of _____
(Print your name) (City and Province)

swear or affirm that:

1. I, _____, wish to enforce a provision of an order
(Your full name)

related to (check the one that apply):

- ☐ parenting;
☐ contact;
☐ custody; or
☐ access.

(January 2025)

Page 1 of 4

Affidavit (FOAEAA) - Enforce Parenting Contact Custody or Access

Supreme Court of Newfoundland and Labrador

2. I make this affidavit in support of an application under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C. 1985, c.4 (2nd Supp.) (the "FOAEAA") to request that the court make an order under section 10 of that Act to authorize an official of the court to apply for the release of information under section 12 of that Act for the above-mentioned purpose.
3. The application under section 7 of the FOAEAA is made for the following reasons (section 9 of the FOAEAA requires that you set out particulars of the breach and identify the person that is believed to have with them the child or children who is or are the subject of the provision):

a.	_____

b.	_____

c.	_____

4. The information to be requested under section 12 the FOAEAA relates to _____.
(Name of the person to whom the requested information relates)
5. Reasonable steps have been taken to locate _____.
(Name of the person to whom the requested information relates)

Those steps are:

a.	_____

b.	_____

c.	_____

6. _____ has not been located
(Name of the person to whom the requested information relates)

Paragraphs 7 to 10 must be completed where the Application is being filed by an individual. If applicable, provide details and supporting documentation for paragraphs 8 to 10.

7. The sole purpose of the application under section 7 of the FOAEAA is to obtain information to enforce the order related to (check the one that apply):
- ☐ parenting;
 - ☐ contact;
 - ☐ custody; or
 - ☐ access.

(January 2025)

Page 2 of 4

Affidavit (FOAEAA) - Enforce Parenting Contact Custody or Access

Supreme Court of Newfoundland and Labrador

8. I (am / am not) subject to :

- ☐ any court order, agreement, undertaking or recognizance or any other document of a similar nature restricting communication or contact with

_____; and
(Name of the person or children to whom the requested information relates)

- ☐ any proceeding restricting communication or contact with

_____.
(Name of the person or children to whom the requested information relates)

9. I (have / have not) caused or attempted to cause physical harm to

_____.
(Name of the person or children to whom the requested information relates)

or have caused them to fear for their or someone else's safety or security.

10. I (was / was not) charged with or found guilty of an offence against

_____.
(Name of the person or children to whom the requested information relates)

11. The information to be requested under section 12 of the FOAEA is necessary to enforce a provision of an order related to (check the one that apply):

- ☐ parenting;
☐ contact;
☐ custody; or
☐ access.

12. The information that is being requested for release under section 5(4) of the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations* (Canada) is as follows:

- ☐ The address of the person named in this application
☐ The name and address of the employer of the person named in this application
☐ The name and address of the child or children who is or are subject of the provision to be enforced
☐ The name and address of the employer of the child or children who is or are subject of the provision to be enforced

Affidavit (FOAEAA) - Enforce Parenting Contact Custody or Access

Supreme Court of Newfoundland and Labrador

13. The information will only be used for the purpose identified in this affidavit.

14. I make this affidavit in good faith.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature

Signature of Person Authorized to Administer Oaths

How to Make an Emergency Interim Application**Instructions**

You can make an **Emergency Interim Application (Form F17.03A)** if your family law issue requires **urgent** attention. This application can be made at any time, but you can **ONLY** make this application in a true emergency and if there is an **Originating Application (Form 4.03A)** or an **Originating Application for Variation (Form F5.05A)** before the Court.

When You Can Make an Emergency Interim Application

You can **ONLY** make an Emergency Interim Application if at least one of these situations applies to you:

- There is an immediate danger of a child's removal from the jurisdiction;
- There is an immediate danger to the physical, emotional or psychological safety and security of a child or another person; or
- Not granting an order would have immediate and irreversible consequences;

AND a judge is satisfied that notice to the other person is **NOT** required for one of the following reasons:

- The delay caused by providing notice would (or might) cause serious harm to you or your child(ren);
- There is urgency for another reason; or
- The circumstances make notice unnecessary.

Completing Your Application

You can fill out this form by hand or you can download and fill out this form electronically at <https://www.court.nl.ca/supreme/rules-practice-notes-and-forms/family/general/> (If you fill out the form electronically, you must still print the form and file it with the Court). You must fill out the entire form. If you need more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing Your Application

You must file your completed and signed Emergency Interim Application with the Court (including any additional documents). To file the Emergency Interim Application, you must bring it to the Supreme Court location where your file is or you can mail it to that location (with the filing fee attached). You can look up the fees online: <https://www.court.nl.ca/supreme/schedule-of-fees/>.

Serving Your Application and Directions on the Proceeding

You do not need to serve a copy of this application on the other person(s) (unless the Court orders otherwise). However, if your Emergency Interim Order is granted, the Court will schedule a date for the application, to be heard within 7 days of the date the order was made. If the Court provides a hearing date on Page 1, you will need to serve a copy of the application (with the hearing date), the Instructions on "How to Respond to an Emergency Interim Application" and a copy of the order on the other person(s) immediately by *personal service*. This means that an adult (who is not you) must hand-deliver the documents to the other person(s). Read any Court Order (or Endorsement) that you receive from the Court after filing this application carefully, as it will provide directions with respect to the proceeding and any future court dates that are not listed on Page 1. You must follow all directions given in any Court Order (or Endorsement) that you receive from the Court after filing this application.

More Information

Questions? Go to <https://www.court.nl.ca/supreme/family-division/> or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get professional legal advice ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING THE APPLICATION ---

How to Respond to an Emergency Interim Application Instructions

You have been served with an Emergency Interim Application.

This means that the other person(s) in your family law proceeding asked the Court to grant an Emergency Interim Order. If the Court granted an Emergency Interim Order, a hearing date will be listed on Page 1 of the Emergency Interim Application. If you want to oppose the Emergency Interim Application, you must file ONE affidavit in response.

You can find an affidavit template form at any Supreme Court location or online: www.court.nl.ca/supreme/rules-practice-notes-and-forms/family/general/

Your affidavit should set out your position on the issues in the Emergency Interim Application and any important details or information.

You must serve a copy of your Affidavit on the other person(s) **at least 2 days before** the hearing date listed on the first page of the Emergency Interim Application. If an Emergency Interim Order is not granted, action may be required by you.

Read any attached Court Order (or Endorsement) and the Emergency Interim Application carefully. A Court Order (or Endorsement) will provide directions with respect to the proceeding. If there is no notice of hearing completed by the Court on the first page of the Emergency Interim Application, please read any attached Court Order (or Endorsement) to see if there are any further court dates set. You must follow all directions given in any attached Court Order (or Endorsement).

If you do not respond as directed or do not appear at a scheduled court hearing, the Court may proceed and make another Order (or Endorsement) without hearing from you.

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or (709) 722-2643

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form (F17.03A): Emergency Interim Application – For a Temporary Order (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
(General/Family)**

FOR COURT USE ONLY

COURT FILE NO: _____

CENTRAL DIVORCE REGISTRY NO: _____

Filed at _____, Newfoundland and
Labrador, this _____ day of _____, 20____.

Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

☐ NOT APPLICABLE
☐ SECOND APPLICANT
☐ SECOND RESPONDENT

FOR COURT USE ONLY

HEARING DATE

The hearing for this application is scheduled to be heard in the Supreme Court of Newfoundland and Labrador:

Location: Supreme Court in _____, Newfoundland and
Labrador

Address:

Date:

Time: _____ am / pm

am seeking an emergency interim order without notice to any other party.

*In order to make an Emergency Interim Application, **you must be able check AT LEAST ONE of the requirements below:***

<input type="checkbox"/>	There is an immediate danger of a child's removal from the jurisdiction
<input type="checkbox"/>	There is an immediate danger to the physical, emotional or psychological safety and security of a child or another person
<input type="checkbox"/>	There would be immediate and irreversible consequences if the order is not granted

☐ The delay in giving notice would or may impose serious harm or prejudice on you or your child(ren).

☐ There is a degree of urgency or another reason that makes it inappropriate to give notice.

☐ The circumstances of the case make notice to the other party unnecessary.

☐ A statute permits (*indicate the title and section of the statute*): _____

Fill in the details of the emergency order that you are seeking:

[illegible]

Part C Reasons for seeking emergency order (Affidavit)

Fill in the facts and reasons why you are seeking an emergency order:

Part D Steps to minimize prejudice

What have you done (and/or what will you do) so that the other party will not be disadvantaged by not being immediately notified of this application?

--

Statement of Truth

You must swear or affirm that the facts and information that you have written in this Emergency Interim Application and any attachments is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this application at the Court when you file it.

I declare the facts and information in this Emergency Interim Application are true to the best of my knowledge and belief.	
SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.	
_____ <i>Signature</i>	_____ <i>Signature of Person Authorized to Administer Oaths</i>

Lawyer's Signature for Fee Waiver

I am employed by the Newfoundland and Labrador Legal Aid Commission or a Newfoundland and Labrador government department under the <i>Executive Council Act</i> and I am the lawyer of record in this matter.	
_____ <i>Signature of Lawyer (if any)</i>	_____ <i>Print Name of Lawyer (if any)</i>

How to Make an Application for Judgment**Instructions**

An **Application for Judgment (Form F26.02A)** is a form that you may use to apply for judgment in an uncontested proceeding. If any of the following applies to your situation, your matter is an uncontested proceeding:

- The Respondent failed to file and serve a Response within the prescribed time (and a Notice of Default (Form F6.06A) has been filed);
- The Response has been withdrawn or struck out;
- The Respondent filed a Response stating that they are not contesting a claim in the Application;
- The Applicant failed to file a Reply in relation to a claim against them made in the Response within the prescribed time (and a Notice of Default (Form F6.06A) has been filed);
- The Reply has been withdrawn or struck out;
- The Applicant filed a Reply stating that they are not contesting a claim in the Response;
- The parties have applied together for the same relief; or
- Each party to the proceeding consents to a draft judgment or order.

Completing Your Application for Judgment

You can fill out this form by hand or you can download and fill out this form electronically at <https://www.court.nl.ca/supreme/rules-practice-notes-and-forms/family/general/> (you must still print the form and file it with the Court). You must fill out the entire Application for Judgment form. If you need more space to fill out any section of this form, attach an extra page and indicate which section is continued. You cannot address multiple sections on the same extra page.

Filing Your Application for Judgment

To file your Application for Judgment, bring it to the Supreme Court location where your family law file is or mail the Application to that Supreme Court location. Before you file it, you should make an extra copy of your completed and signed Application for Judgment for your own records.

If you are applying for a divorce, you must also file: 1) a draft **Divorce Judgment (Form F26.03A)** along with 2 extra copies of that Divorce Judgment. You can get a Divorce Judgment form from any Supreme Court location or online: <https://www.court.nl.ca/supreme/rules-practice-notes-and-forms/family/general/> and 2) a **Notice of Default (Form F6.06A)** if the other party failed to file a Response or Reply within the prescribed time.

If applying for other relief, you must also file: 1) a typed draft **Order** along with 1 extra copy of that Order. You can get an Order form from any Supreme Court location or online: <https://www.court.nl.ca/supreme/rules-practice-notes-and-forms/family/general/> and 2) a **Notice of Default (Form F6.06A)** if the other party failed to file a Response or Reply within the prescribed time.

Serving Your Application for Judgment

You do not have to give a copy of this Application to the other person unless they have filed a **Demand for Notice (Form F6.04A)**.

More Information

Questions? Go to <https://www.court.nl.ca/supreme/family-division/> or contact a Court near you:

Corner Brook: (709) 637-2227
Gander: (709) 256-1115
Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260
Happy Valley-Goose Bay: (709) 896-7892
St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788
Legal Aid: www.legalaids.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING THIS APPLICATION ---

Form F26.02A: Application for Judgment (Family Law)

(for uncontested family law proceedings)



In the Supreme Court of
Newfoundland and Labrador
(General/Family)

FOR COURT USE ONLY

COURT FILE NO: _____

CENTRAL DIVORCE REGISTRY NO: _____

Filed at _____, Newfoundland and
Labrador, this _____ day of _____, 20____.

Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT or CO-APPLICANT
(Print full name)

AND: _____ RESPONDENT or CO-APPLICANT
(Print full name)

AND: _____
(Print full name)

☐ NOT APPLICABLE
☐ SECOND APPLICANT
☐ SECOND RESPONDENT
☐ CO-APPLICANT

Part A The Order(s) Sought

Check the type of order(s) that you are seeking and provide a brief description:

<input type="checkbox"/> Divorce:
<input type="checkbox"/> Parenting (Decision-making and/or Parenting time):
<input type="checkbox"/> Contact Order/ Third Party Time with Child:
<input type="checkbox"/> Child Support:
<input type="checkbox"/> Spousal (married) Support or Partner (unmarried) Support:
<input type="checkbox"/> Parental Support (for parents) or Dependant Support (for someone other than parents or child):
<input type="checkbox"/> Division of Matrimonial (married) Property or Common Law (unmarried) Property:
<input type="checkbox"/> Consent Order:
<input type="checkbox"/> Other:

Part B Basis for Application for Judgment

Check the box that applies to your situation:

<input type="checkbox"/>	The Respondent failed to file and serve a Response within the prescribed time.
<input type="checkbox"/>	The Response has been withdrawn or struck out.
<input type="checkbox"/>	The Respondent filed a Response stating that they are not contesting the claim(s) made in the Application.
<input type="checkbox"/>	The Applicant failed to file a Reply in relation to a claim against them made in the Response within the prescribed time.
<input type="checkbox"/>	The Reply has been withdrawn or struck out.
<input type="checkbox"/>	The Applicant filed a Reply stating that they are not contesting the claim(s) made in the Response.
<input type="checkbox"/>	The Co-Applicants filed a Joint Originating Application for the same relief.
<input type="checkbox"/>	The Applicant and the Respondent have consented to the draft judgment or draft order.

Part C Relevant Documents

Check the following documents that support your claims as they relate to the order that you are seeking:
(Attach any documents that you have not already filed with the court)

<input type="checkbox"/> Originating Application	<input type="checkbox"/> Property Statement of the Applicant
<input type="checkbox"/> Originating Application for Variation	<input type="checkbox"/> Property Statement of the Respondent
<input type="checkbox"/> Joint Originating Application	<input type="checkbox"/> Affidavit of Service
<input type="checkbox"/> Joint Originating Application for Variation	<input type="checkbox"/> Previous Court Order(s)
<input type="checkbox"/> Response	<input type="checkbox"/> Domestic Contract (eg. Separation Agreement)
<input type="checkbox"/> Demand for Notice	<input type="checkbox"/> Certificate (or Registration) of Marriage
<input type="checkbox"/> Notice of Default	<input type="checkbox"/> Order dispensing with Certificate of Marriage
<input type="checkbox"/> Reply	<input type="checkbox"/> 1 self-addressed, stamped envelope with the Applicant's address
<input type="checkbox"/> Financial Statement of the Applicant	<input type="checkbox"/> 1 self-addressed, stamped envelope with the Respondent's address
<input type="checkbox"/> Financial Statement of the Respondent	<input type="checkbox"/> Draft Divorce Judgment and/or other draft orders
<input type="checkbox"/> Other:	

Form F26.02A – Application for Judgment (Family Law)

Supreme Court of Newfoundland and Labrador

- ☐ Check this box if you are Co-Applicants (filed a Joint Originating Application or Joint Originating Application for Variation). If you are Co-Applicants, you do not need to fill in Part D.

Part D Service of Originating Application or Response

Fill in the details of the service of the Originating Application, Originating Application for Variation, or Response.

Name of person served:				
Date of service:	Month:	Day:	Year:	
Address of service:				
	Street Address	City	Province	Postal Code
Method of service:	For Originating Application or Response (involving divorce and/or parenting): <input type="checkbox"/> Personal service <input type="checkbox"/> Substituted service as ordered by the Court			
	For Originating Application or Response (involving claims other than divorce and/or parenting): <input type="checkbox"/> Personal service <input type="checkbox"/> Leaving a copy with the Respondent's lawyer <input type="checkbox"/> Leaving a copy at the Respondent's address (and mailing a copy to the same address that day or the following day) <input type="checkbox"/> Regular mail <input type="checkbox"/> Registered mail/Courier <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Electronic document exchange or other electronic form of communication <input type="checkbox"/> Substituted service as ordered by the Court			

- ☐ Check this box if you are Co-Applicants (filed a Joint Originating Application or Joint Originating Application for Variation). **Both Co-Applicants must fill out Part E. Make a copy of pages 4-6 for the second Co-Applicant.** Attach both affidavits to this Application for Judgment.

Part E Affidavit

I, _____, of _____
(Print your name) (City/Town and Province)

swear or affirm and say as follows:

1. I have personal knowledge of the facts in this affidavit, except where stated to be information learned from someone else and where that is stated, I believe the information to be true.
2. Other Proceedings
No other legal proceedings have been commenced by me or the other party with reference to the marriage, cohabitation, parenting, support, or division of property, except as follows:

--

3. Agreements or Contracts

Check the box that applies to your situation:

- ☐ There are no agreements or contracts between me and the other party.

OR

- ☐ There are agreements or contracts between me and the other party.
If the agreement or contract has not been filed with the Court, attach a copy of the agreement or contract to this form.

The agreement or contract deals with the following issues (eg. parenting, child support, property, etc.):

--

4. Changes to Pleadings

Check the box that applies to your situation:

- ☐ There have been no changes to the contents in my:

- ☐ Originating Application
 ☐ Originating Application for Variation
 ☐ Interim Application
☐ Response
 ☐ Other:

- ☐ There have been changes to the contents in my:

- ☐ Originating Application ☐ Originating Application for Variation ☐ Interim Application
- ☐ Response ☐ Other:

Form F26.02A – Application for Judgment (Family Law)

Supreme Court of Newfoundland and Labrador

Fill in the details of the changes to the contents:

If there is a change in your financial circumstances since the filing of the Originating Application, Originating Application for Variation, Interim Application, Response, Financial Statement, and/or Property Statement, you must file and serve updated documents.

5. Divorce (if applicable)

In order to apply for a divorce, you must be able to satisfy ALL of the requirements below:

- ☐ There is no prospect of reconciliation of the marriage between the other party and myself.
- ☐ The other party and I have remained living separate and apart from the date of our separation to the date of this Affidavit.

If you have a child or children:

Applicant or Co-Applicant's Annual Income: \$

Respondent or Co-Applicant's Annual Income: \$

- ☐ Reasonable arrangements have been made for the support of the child(ren). Provide details:

- ☐ Check this box if you are If you are seeking an earlier date of effect for a divorce judgment. You must fill out a Request for Earlier Date for a Divorce Judgment form.

6. Support (if applicable)

Check the box that applies to your situation:

- ☐ I am claiming support.
- I know/believe the other party's income to be: \$ _____ per year.
- If you are seeking child support and the other party has not filed income information, you must provide sufficient information of the other party's income.
- ☐ I am not claiming support.
- ☐ Sufficient financial arrangements have been made for the care of the child(ren).

7. Costs (if applicable)

<input type="checkbox"/>	Costs are claimed in the amount of \$ _____ for the following reasons:

8. Service of Judgment:

<input type="checkbox"/>	The present address of the other party where service of the judgment may be made is:
I know/believe that this is the address of the other party because:	
<input type="checkbox"/>	Service of the judgment upon the other party should be dispensed with for the following reasons:

Statement of Truth

You must swear or affirm that the facts and information that you have written in this Application for Judgment and Affidavit is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this application at the Court when you file it.

I declare the facts and information of this Application for Judgment and Affidavit are true to the best of my knowledge and belief.	
SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.	
_____ Signature	_____ Signature of Person Authorized to Administer Oaths

How to do a Consent Order**Instructions**

If you and the other person have come to an agreement on all of your family law issues, you can do a Consent Order. You can use this **Consent Order (Form F34.02A)** template to draft the agreement between you and the other person. By signing a Consent Order, you acknowledge that the terms of the Order will be enforced. Before you sign a Consent Order, both you and the other person should get advice from separate lawyers.

You can only file a Consent Order if you already have an **Originating Application (Form F4.03A)**, **Originating Application for Variation (Form F5.05A)**, **Joint Originating Application (Form F4.04A)**, or **Joint Originating Application for Variation (Form F5.06A)** filed with the Court. If you do not one of those documents filed with the Court, you must complete one and file it at the same time as your Consent Order.

If there are any issues that you and the other person do not agree on, you must set out these issues in an **Originating Application (Form F4.03A)** or **Originating Application for Variation (Form F5.05A)**. You can still do a Consent Order on the issues you agree on.

Completing Your Consent Order

You can fill out this form by hand or you can download and fill out this form electronically at <https://www.court.nl.ca/supreme/rules-practice-notes-and-forms/family/general/> (You must still print the form and file it with the Court).

Check off “Final Order on Consent” (on the first page) if you are consenting to a final order. Check off “Interim Order on Consent” (on the first page) if you are consenting to an interim order.

Consent Orders dealing with child, spousal, partner, parental, or dependant support, must be separated from other types of orders. If you are consenting to support, fill out this **Consent Order – Support**. For all other Consent Orders (eg. parenting or property), fill out a **Consent Order – Other than Support (Form F34.02B)**.

If you need more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing Your Consent Order

You must make **2 extra copies** of your completed and signed consent Order. To file it, you must bring the original Consent Order to the same Court location where the Originating Application, Originating Application for Variation, Joint Originating Application, or Joint Originating Application for Variation was filed. You can also mail the Consent Order to that Supreme Court location.

More Information

Questions? Go to <https://www.court.nl.ca/supreme/family-division/> or contact a Court near you:

Corner Brook: (709) 637-2227
Gander: (709) 256-1115
Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260
Happy Valley-Goose Bay: (709) 896-7892
St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788
Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING THE ORDER ---

F34.02A: Consent Order – Support (Family Law)

**In the Supreme Court of
Newfoundland and Labrador
(General/Family)**

FOR COURT USE ONLY

COURT FILE NO: _____

CENTRAL DIVORCE REGISTRY NO: _____

Filed at _____, Newfoundland and
Labrador, this _____ day of _____, 20_____.

Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____

(Print full name)

☐ APPLICANT☐ CO-APPLICANT

AND: _____

(Print full name)

☐ RESPONDENT☐ CO-APPLICANT

AND: _____

(Print full name)

☐ NOT APPLICABLE☐ SECOND APPLICANT☐ SECOND RESPONDENT☐ CO-APPLICANT

BEFORE the Honourable Justice _____

(Print Name)

, on _____

(Date: month/day/year)

☐ Final Order on Consent☐ Interim Order on Consent

IT IS ORDERED THAT under the:

☐ Family Law Act (Newfoundland and Labrador):☐ Divorce Act (Canada):☐ _____

Child Support☐ **Basic Table Amount**

The parties agree to an amount of child support according to the basic table amount as per the *Child Support Guidelines* of (province) _____ as follows:

Total monthly payment amount: \$ _____ Payor's annual income: \$ _____

Paid by: (name) _____ to: (name) _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
 - Installments of \$ _____ to be paid _____.
- (e.g., weekly; dates of payments per month, etc.)

For the following child(ren): (names and dates of birth) _____

Commencement date: (month/day/year) _____

OR

☐ **Amount Different from the Basic Table Amount (☐ Shared Parenting or ☐ Split Parenting)**

The parties agree to an amount of child support that is different from the *Child Support Guidelines* of (province) _____ as follows:

Applicant or Co-Applicant 1's annual income: \$ _____

Total monthly payment amount: \$ _____

Paid by: (name) _____ to: (name) _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
 - Installments of \$ _____ to be paid _____.
- (e.g., weekly; the 1st and 15th day per month, etc.)

For the following child(ren): (names and dates of birth) _____

Commencement date: (month/day/year) _____

--- AND ---

Respondent or Co-Applicant 2's annual income: \$ _____

Total monthly payment amount: \$ _____

Paid by: (name) _____ to: (name) _____

Form F34.02A – Consent Order - Support (Family Law)

Supreme Court of Newfoundland and Labrador

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
- Installments of \$ _____ to be paid _____.
(e.g., weekly; the 1st and 15th day per month, etc.)

For the following child(ren): (names and dates of birth) _____

Commencement date: (month/day/year) _____

--- SET OFF (if split parenting) or AMOUNT (if shared parenting) ---

Total monthly payment amount: \$ _____

Paid by: (name) _____ to: (name) _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
- Installments of \$ _____ to be paid _____.
(e.g., weekly; the 1st and 15th day per month, etc.)

Commencement date: (month/day/year) _____

OR

☐ Amount Different from the Basic Table AmountThe parties agree to an amount of child support that is different from the *Child Support Guidelines* of (province) _____ as follows:

Total monthly payment amount: \$ _____

Paid by: (name) _____ to: (name) _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
- Installments of \$ _____ to be paid _____.
(e.g., weekly; the 1st and 15th day per month, etc.)

For the following child(ren): (names and dates of birth) _____

Commencement date: (month/day/year) _____

Payor's annual income: \$ _____ Recipient's annual income: \$ _____

Reason or further details:

Form F34.02A – Consent Order - Support (Family Law)

Supreme Court of Newfoundland and Labrador

--

☐ **Special and/or Extraordinary Expenses**

The parties agree to an amount of special and/or extraordinary expenses as follows:

Child's Name and date of birth	Description of Expense	Total Amount of Expense (per month)	Payor's Share or Contribution (\$ or %) (per month)	Frequency of Payment	Commencement Date (month/day/year)
		\$			
		\$			
		\$			
		\$			
		\$			

Other special expenses and/or details:

--

Paid by: (name) _____ to: (name) _____

Payor's annual income: \$ _____ Recipient's annual income: \$ _____

☐ Parties will send receipts to Support Enforcement.

☐ **Retroactive Child Support**

The parties agree to an amount of retroactive child support as follows:

Payment amount: \$ _____ per month OR \$ _____ lump sum

Paid by: (name) _____ to: (name) _____ ,

representing the payor's child support obligations from (date: month/day/year) _____

to (date: month/day/year) _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
- Installments of \$ _____ to be paid _____
(e.g., weekly; the 1st and 15th day per month, etc.) OR
- One \$ _____ lump sum payment.

Form F34.02A – Consent Order - Support (Family Law)

Supreme Court of Newfoundland and Labrador

For the following child(ren): (names and dates of birth) _____
 Commencement/Payment date: (month/day/year) _____

☐ **Arrears**

The parties agree that the outstanding child support amount owed, fixed at (arrears) \$ _____
 as of (date) (month/day/year) _____, shall be paid as follows:

Payment amount: \$ _____ per month OR \$ _____ lump sum

Paid by: (name) _____

to: (name or agency, if assigned) _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
- Installments of \$ _____ to be paid _____.
 (e.g., weekly; the 1st and 15th day per month, etc.) OR
- One \$ _____ lump sum payment.

For the following child(ren): (names and dates of birth) _____

Commencement/Payment date: (month/day/year) _____

☐ **Disclosure (Payor)**

Pursuant to section 25 of the *Federal Child Support Guidelines* (Canada) (or section 23 of the provincial *Child Support Guidelines Regulations*), (name) _____ shall provide a copy
 of the his/her income tax return and notice of assessment to (name) _____
 on or before (date: month/day/year) _____ each year, commencing in the year _____.

☐ **Disclosure (Recipient) (if applicable)**

Pursuant to section 25 of the *Federal Child Support Guidelines* (Canada) (or section 23 of the provincial *Child Support Guidelines Regulations*), (name) _____ shall provide a copy
 of the his/her income tax return and notice of assessment to (name) _____
 on or before (date: month/day/year) _____ each year, commencing in the year _____.

☒ **Support Enforcement**

All amounts owing under this Order shall be paid directly to the Director of Support Enforcement at:

Support Enforcement Division
 P.O. Box 2006
 Corner Brook, Newfoundland and Labrador A2H 6J8

This order shall be enforced by the Director of Support Enforcement pursuant to the *Support Orders Enforcement Act*, 2006, SNL 2006, Chapter S-31.1, unless the Order is withdrawn from the Director, pursuant to s.7 of the Act.

☐ **Support Recalculation**

(You can only check this box if all parties have agreed to basic table amount of child support and either primary residence parenting or split parenting.)

The amount of child support shall be reviewed each year and, where necessary, will be recalculated by the Recalculation Office in accordance with the *Administrative Recalculation of Child Support Regulations*.

COMMENCEMENT DATE OF CHILD SUPPORT:

- (a) The commencement date of child support pursuant to this order is the ____ day of (month) _____ of (year) _____.

REVIEW DATE:

- (b) The child support amount will be reviewed one year after the date set out in clause (a) above.

INCOME INFORMATION REQUIREMENTS AND DUE DATE:

- (c) The person required to pay child support must provide the following income information to the Recalculation Office:
- (i) Personal income tax return for the most recent taxation year; and
 - (ii) Notice of assessment and any reassessments for the most recent taxation year; or
 - (iii) other document(s) acceptable to the Recalculation Office.

- (d) The income information must be provided to the Recalculation Office **not later than 45 days before the review date at:**

Recalculation Office
9th floor, Sir Richard Squires Building
P.O. Box 2006, Corner Brook, NL A2H 6J8
Tel: (709) 634-4172 | Fax: (709) 634-4155
E-mail: recalculation@gov.nl.ca

RECALCULATION – WHERE INCOME INFORMATION IS PROVIDED

- (e) If satisfactory income information is received by the Recalculation Office at least 45 days before the review date, the Recalculation Office will issue a Recalculation Notice setting out the proposed recalculated child support amount.
- (f) If, as a result of the recalculation, the amount of child support would increase or decrease less than \$5.00 per month, the Recalculation Office will not recalculate the amount of child support. The Recalculation Office will notify the parties that there will be no change for that year.

RECALCULATION – WHERE INCOME INFORMATION IS NOT PROVIDED

- (g) If satisfactory income information is not received by the Recalculation Office at least 45 days before the review date, the Recalculation Office will issue a Recalculation Notice setting out the proposed recalculated child support amount. This amount will be:

- (i) the income amount on which the most recent child support order, agreement, or Recalculation Notice was based; plus
- (ii) 20% of the payor's income as determined under (g)(i) above.

EFFECTIVE DATE OF RECALCULATED AMOUNT

(h) Unless a Notice of Objection is filed, the recalculated amount of child support stated in the Recalculation Notice will come into effect on the date set out in the Recalculation Notice. The Recalculation Office will file a copy of the Recalculation Notice with the court that made the child support order (or where the agreement is filed) and the Support Enforcement Agency.

(i) The recalculated amount of child support is payable to the Support Enforcement Agency:

Support Enforcement Division
2nd floor, Sir Richard Squires Building
P.O. Box 2006, Corner Brook, NL A2H 6J8
Tel: (709) 637-2608

OBJECTION TO RECALCULATION

(j) If a party objects to the change in child support amount in the Recalculation Notice, the party must file a Notice of Objection with the court that made the child support order, or where the agreement was filed. The party must also provide a copy of the Notice of Objection to the Recalculation Office.

(k) The Notice of Objection must be filed within 30 days after the Notice of Recalculation is deemed to be received.

(l) If a Notice of Objection is filed, no change shall be made to the amount of child support payable unless:

- (i) a court order is made at the conclusion of the objection hearing; or
- (ii) the Notice of Objection is withdrawn before the objection hearing, in which case the recalculated amount of child support is considered to have come into effect on the date set out in the Recalculation Notice.

CHANGE OF CONTACT INFORMATION

Parties must notify the Recalculation Office of any change to their mailing address, email address, telephone number, or fax number within 10 days of the change.

☐ **Support Recalculation – Shared or Hybrid parenting**

(You can only check this box if all parties have agreed to an amount different from the basic table amount and either shared parenting or hybrid parenting.)

On or before June 1st each year commencing in 20____, each party shall provide the other with a copy of their Income Tax Return and Notices of Assessment and Reassessment (if any) for the previous year. If a Notice of Assessment or Reassessment has not been received by either party by June 1st, that party shall advise the other of same on or before June 1st. Once the Notice of Assessment or Reassessment is received, it shall be immediately forwarded to the other party.

Within seven (7) days of exchange of the Notices of Assessments/Reassessment, the parties shall complete and sign the Recalculation Form in Schedule "A", if the parties agree on the revised amounts payable, based on their incomes. Should either party refuse to execute the Recalculation Form, they shall provide the other party notice of same within seven (7) days of exchange of the Notices of Assessment/Reassessment.

The parties shall file the completed form with the Court. The Court shall forward the Recalculation Form to the Director of Support Enforcement at:

Support Enforcement Division
P.O. Box 2006
Corner Brook, Newfoundland and Labrador A2H 6J8

The terms of the Recalculation Form shall be enforced by the Director of Support Enforcement pursuant to the *Support Orders Enforcement Act*, 2006, SNL 2006, Chapter S-31.1, unless the Recalculation Form is withdrawn from the Director, pursuant to s.7 of the *Act*.

<input type="checkbox"/> Other:	
--	--

Spousal, Partner, Parental, or Dependant Support

☐ **No Spousal, Partner, Parental, and/or Dependant Support**

The parties agree that there will be no spousal, partner, parental, and/or dependant support to either party.

☐ **Ongoing Support**

The parties agree to an amount of:

☐ **Spousal support** ☐ **Parental support** ☐ **Partner support** ☐ **Dependant support**

as follows:

Total Monthly Payment amount: \$ _____

Paid by: (name) _____ to: (name) _____

For the following person(s): (names) _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
 - Installments of \$ _____ to be paid _____.
- (e.g., weekly; the 1st and 15th day per month, etc.)

Commencement date: (month/day/year) _____

Duration (if applicable): _____

Review date (if applicable): (month/day/year) _____

Nature of Review (if applicable): _____

☐ **Retroactive Support**

The parties agree to an amount of **retroactive**:

☐ **Spousal support** ☐ **Parental support** ☐ **Partner support** ☐ **Dependant support**

as follows:

Total Monthly Payment amount: \$ _____

Paid by: (name) _____ to: (name) _____, representing
the payor's support obligations from (date: month/day/year) _____ to (date: month/day/year) _____

For the following person(s): (names) _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
 - Installments of \$ _____ to be paid _____.
- (e.g., weekly; the 1st and 15th day per month, etc.)

Commencement date: (month/day/year) _____

Form F34.02A – Consent Order - Support (Family Law)

Supreme Court of Newfoundland and Labrador

☐ **Arrears**

The parties agree that the outstanding support amount owed, fixed at (*arrears*) \$ _____
 as of (*date: month/day/year*) _____, shall be paid off as follows:

Payment amount: \$ _____ per month OR \$ _____ lump sum

Paid by: (*name*) _____

to: (*name or agency, if assigned*) _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
- Installments of \$ _____ to be paid _____.
 (*e.g., weekly; the 1st and 15th day per month, etc.*)
- One \$ _____ lump sum payment.

Commencement/Payment date: (*month/day/year*) _____

☐ The parties agree to the financial arrangement for support as follows:

--

Consent Signatures (if applicable)

If applicable, both parties must sign the Consent Order in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this Consent Order at the Court when you file it.

Applicant (or Co-Applicant)

DATE (month/day/year): _____
Signature of Applicant (or Co-Applicant)
Address of Applicant (or Co-Applicant)
Signature of Person Authorized to Administer Oaths

Respondent (or Co-Applicant)

DATE (month/day/year): _____
Signature of Respondent (or Co-Applicant)
Address of Respondent (or Co-Applicant)
Signature of Person Authorized to Administer Oaths

Applicant's (or Co-Applicant's) Lawyer (if any)

DATE (month/day/year): _____
Signature of Lawyer
Print name of Lawyer

Respondent's (or Co-Applicant's) Lawyer (if any)

DATE (month/day/year): _____
Signature of Lawyer
Print name of Lawyer

Order Issued at: Location: Supreme Court in _____, Newfoundland and Labrador Date: _____ _____ Justice or Registry Clerk of the Supreme Court of Newfoundland and Labrador	FOR COURT USE ONLY
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**Notice of Inter-Jurisdictional
Support Application****Instructions**

You are receiving this Notice of Inter-Jurisdictional Support Application because a former spouse (referred to throughout these documents as the “Applicant”) who lives in another jurisdiction has started an application to obtain, vary, rescind or suspend a support order, naming you as the Respondent. This application will be heard in the Supreme Court of Newfoundland and Labrador.

A copy of the application is attached to this Notice.

This instruction sheet sets out how to respond to this application.

What documents do I have to complete and file?

The Response (Form F6.02A) is the form you use to respond to an Application. A copy of that Form is included with this Notice (you can get a PDF or Word copy of this Form on the Supreme Court’s website – see the link below). In the Response, you set out what your position is on the family law issues. You may also make your own claims in your Response. There are additional instructions for filing out the Response included with that Form.

You must also complete a Financial Statement (Form F10.02A). A copy of that Form is also attached (you can get a PDF or Word copy of this Form on the Supreme Court’s website – see the link below). There are additional instructions for filing out the Financial Statement included with that Form.

When do the Response and Financial Statement have to be filed with the Court?

You have 30 days from the date this Notice is served upon you to file your Response and Financial Statement with the court’s Registry. You must also serve a copy of these documents on the Applicant. More information on filing and service is provided in the instructions for the Response form.

If you do not respond, the Court may proceed and make an order without hearing from you.

More Information

Questions? Go to <https://www.court.nl.ca/supreme/family-division/> or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John’s: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form F35.03A: Notice of Inter-Jurisdictional Support Application (Family Law)



In the Supreme Court of
Newfoundland and Labrador
(General/Family)

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ APPLICANT
(Print full name)

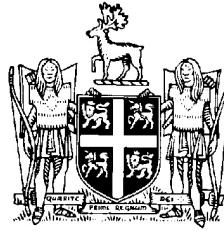
AND: _____ RESPONDENT
(Print full name)

You are hereby notified that the Applicant named above has started an application against you to obtain, vary, rescind or suspend, retroactively or prospectively, a support order under the *Divorce Act*. A copy of the application is attached to this Notice. This application will be heard in the Supreme Court of Newfoundland and Labrador. Details on the hearing date can be found on _____.

You must, **within 30 days** of the receipt of this Notice, file a completed Response (Form F6.02A) and Financial Statement (Form F10.02A) with the Registry of the Supreme Court of Newfoundland and Labrador at _____.

If you do not respond as required, the Supreme Court may proceed with this matter in your absence and make an order against you.

HEARING DATE		FOR COURT USE ONLY
A hearing for this application is scheduled to be heard in the Supreme Court of Newfoundland and Labrador:		
Location: Supreme Court in _____, Newfoundland and Labrador		
Address: _____		
Date: _____	Time: _____ am / pm	



**NEWFOUNDLAND AND LABRADOR
REGULATION 105/24**

Proclamation bringing the Act into force
(SNL2019 cO-6.2)
[In force December 27, 2024]
under
Opioid Damages and Health Care Costs Recovery Act
(O.C 2024-219)

(Filed December 27, 2024)

CHARLES THE THIRD, by the Grace of God
King of Canada and His other Realms and Territories,
Head of the Commonwealth.

JOAN MARIE J. AYLWARD
Lieutenant Governor

JOHN HOGAN K.C.
Attorney General

TO ALL TO WHOM these presents shall come or whom the same may
in anywise concern:

GREETING

A PROCLAMATION

WHEREAS in and by subsection 15(1) of An Act to Provide for
Damages and Recovery of Opioid Related Health Care Costs, Statutes
of Newfoundland and Labrador 2019 Chapter O-6.2 (the "Opioid
Damages and Health Care Costs Recovery Act"), it is provided that the
Opioid Damages and Health Care Costs Recovery Act comes into force
on a day to be proclaimed by the Lieutenant-Governor in Council;

*Proclamation bringing the Act into force under
Opioid Damages and Health Care Costs Recovery
Act*

105/24

AND WHEREAS it is deemed expedient that the Opioid Damages and Health Care Costs Recovery Act shall now come into force;

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 the Opioid Damages and Health Care Costs Recovery Act, Statutes of Newfoundland and Labrador 2019 Chapter O-6.2, shall come into force on the date of publication of the Proclamation in the Newfoundland and Labrador Gazette.

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 Joan Marie J. Aylward, Chancellor of the Order of Newfoundland and Labrador, Lieutenant-Governor in and for Our Province of Newfoundland and Labrador.

AT OUR GOVERNMENT HOUSE, in Our City of St. John's, this 24th day of December in the year of Our Lord two thousand and twenty-four, in the third year of Our Reign

BY COMMAND,

JUDITH HEARN
Deputy Registrar General



**NEWFOUNDLAND AND LABRADOR
REGULATION 106/24**

Provincial Health Authority Regulations (Amendment)
under the
Provincial Health Authority Act
(O.C. 2024-106)

(Filed December 27, 2024)

Under the authority of section 36 of the *Provincial Health Authority Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, December 24, 2024.

Krista Quinlan
Clerk of the Executive Council

REGULATIONS

Analysis

- | | |
|-------------------------------------|-----------------|
| 1. S.8.1 Added
Unclaimed remains | 2. Commencement |
|-------------------------------------|-----------------|

NLR 20/23

1. The *Provincial Health Authority Regulations* are amended by adding immediately after section 8 the following:

Unclaimed remains

8.1 (1) For the purposes of paragraph 2(q) of the Act, unclaimed remains means the body of a deceased person that

(a) has not been cremated or buried; and

(b) has not been claimed.

(2) For the purposes of the Act and these regulations, a body of a deceased person is considered to be claimed where,

(a) a person other than the authority has arranged for the final disposition of the body of the deceased person; and

(b) the authority has received confirmation from a funeral home that it will accept the body of the deceased person.

(3) In order to determine whether a body of a deceased person is unclaimed remains, the authority shall, for the purposes of trying to locate a person who may be entitled to claim the body of the deceased person, attempt to contact the following persons:

(a) the spouse, parents, children, siblings or other known relatives of the deceased person; and

(b) any other person who may be entitled to claim the body of the deceased person.

(4) Where the authority is unable to locate any of the persons referred to in subsection (3) within 14 days of receipt of the body of the deceased person, the authority shall provide notice of the authority's receipt of the body of the deceased person on the authority's website, in the form and manner set by the minister for a period of 5 days.

(5) Where the body of the deceased person is not claimed in accordance with subsections (3) and (4) but the authority is of the opinion that a person may claim the body of the deceased person, the authority may delay making the determination that the body of the deceased person is unclaimed remains for the period that the authority determines necessary to allow the body of the deceased person to be claimed.

(6) The authority may dispose of unclaimed remains by one of the following methods:

(a) burial;

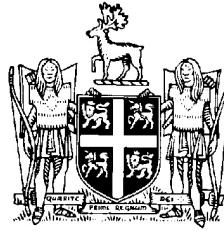
(b) cremation; or

(c) another method of final disposition the authority considers appropriate in the circumstances.

Commencement

2. These regulations come into force on January 1, 2025.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 107/24**

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

(Filed December 27, 2024)

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

Dated at St. John's, December 20, 2024.

Tonya Ryan
Chair of the Council of the College
of Registered Nurses of Newfoundland and Labrador

John Hogan K.C.
Minister of Health and Community Services

REGULATIONS

Analysis

- | | |
|---|---|
| 1. S.3 Amdt.
Registration of registered nurses | 10. S.7 Amdt.
Exam failure-registered nurse |
| 2. S.3.1 Added
Registration of registered psychiatric nurses | 11. S.7.01 Added
Exam failure-registered psychiatric nurse |
| 3. S.4 Amdt.
Provisional registration of registered nurses | 12. S.7.1 Amdt.
Authority to prescribe |
| 4. S.4.1 Added
Provisional registration of registered psychiatric nurses | 13. S.11 Amdt.
Licence conditions |
| 5. S.5 Amdt.
Registered nurse licence | 14. S.12 Amdt.
Renewal of registered nurse licence |
| 6. S.5.01 Added
Registered psychiatric nurse licence | 15. S.12.1 Added
Renewal of registered psychiatric nurse licence |
| 7. S.5.1 Amdt.
Emergency licence | 16. S.17 Amdt.
Continuing competency program |
| 8. S.6 Amdt.
Interim registered nurse licence | 17. S.18 Amdt.
Approved education programs |
| 9. S.6.1 Added
Interim registered psychiatric nurse licence | 18. S.19 Amdt.
Conditions and restrictions |
| | 19. Commencement |

NLR 66/13
as amended

1. Subsection 3(1) of the *Registered Nurses Regulations* is repealed and the following substituted:

Registration of
registered nurses

- 3. (1)** A person applying to be registered as a registered nurse shall
- (a) complete an application in the prescribed form;
 - (b) submit satisfactory proof of the successful completion of a nursing education program satisfactory to the council;
 - (c) submit satisfactory proof of the successful completion of a registered nurse examination approved by the council;
 - (d) submit identification documents, including photo identification, satisfactory to the council;

- (e) demonstrate to the council, in accordance with the standards approved by the council, proficiency in the English language sufficient to enable the applicant to practise as a registered nurse in the province;
- (f) submit a current Certificate of Conduct satisfactory to the council from the Royal Newfoundland Constabulary, Royal Canadian Mounted Police or other appropriate policing agency;
- (g) submit a declaration stating that the person
 - (i) has capacity and is fit to engage in the practice of nursing,
 - (ii) has not been denied registration in another jurisdiction within the 5 year period prior to the date of application or the details regarding the denial of registration in another jurisdiction, and
 - (iii) has never been convicted of an offence under the Criminal Code, the *Controlled Drugs and Substances Act* (Canada) or a similar penal statute of another country or the details of the conviction;
- (h) submit evidence satisfactory to the council that the person is of good character;
- (i) provide written consent to allow the council to obtain confirmation or verification of the documentation and information submitted as part of the application; and
- (j) provide other documentation requested by the council.

2. The regulations are amended by adding immediately after section 3 the following:

Registration of
registered psychiatric
nurses

3.1 (1) A person applying to be registered as a registered psychiatric nurse shall

- (a) complete an application in the prescribed form;

- (b) submit satisfactory proof of the successful completion of a psychiatric nursing education program satisfactory to the council;
- (c) submit satisfactory proof of the successful completion of a registered psychiatric nurse examination approved by the council;
- (d) submit identification documents, including photo identification, satisfactory to the council;
- (e) demonstrate to the council, in accordance with the standards approved by the council, proficiency in the English language sufficient to enable the applicant to practise as a registered psychiatric nurse in the province;
- (f) submit a current Certificate of Conduct satisfactory to the council from the Royal Newfoundland Constabulary, Royal Canadian Mounted Police or other appropriate policing agency;
- (g) submit a declaration stating that the person
 - (i) has capacity and is fit to engage in the practice of psychiatric nursing,
 - (ii) has not been denied registration in another jurisdiction within the 5 year period prior to the date of application or the details regarding the denial of registration in another jurisdiction, and
 - (iii) has never been convicted of an offence under the Criminal Code, the *Controlled Drugs and Substances Act* (Canada) or a similar penal statute of another country or the details of the conviction;
- (h) submit evidence satisfactory to the council that the person is of good character;
- (i) provide written consent to allow the council to obtain confirmation or verification of the documentation and information submitted as part of the application; and

(j) provide other documentation requested by the council.

(2) In addition to the requirements in subsection (1), the council may require a person applying to be registered as a registered psychiatric nurse whose psychiatric nursing education was obtained in another jurisdiction to provide a letter of good standing from one or more of the jurisdictions where the person is currently, or was previously, registered or licensed.

(3) A person applying to be registered as a registered psychiatric nurse whose psychiatric nursing education was obtained outside Canada and who, at the time of application, is not registered or licensed in Canada shall, in addition to the other requirements in this section,

(a) submit a transcript from the educational institution where the person's psychiatric nursing education was completed; and

(b) where required by the council, submit a professional reference satisfactory to the council.

(4) The documentation required in paragraph (3)(a) shall be submitted to the council directly from

(a) the educational institution where the person's psychiatric nursing education was completed; or

(b) an educational credential assessment service approved by the council.

(5) Notwithstanding subsections (2) and (3), a person applying to be registered to practise psychiatric nursing may be registered in accordance with subsection (6) where all of the following apply:

(a) the person's psychiatric nursing education was obtained outside Canada;

(b) at the time of application the person is not practising in Canada; and

(c) the person cannot provide evidence satisfactory to the council of the person's psychiatric nursing education or registration from each jurisdiction where the person is currently, or was previously, registered or licensed.

(6) A person referred to in subsection (5) may be registered where the person

- (a) satisfies all other registration requirements;
- (b) successfully completes an assessment of the person's psychiatric nursing education and competencies; and
- (c) where required by the council, successfully completes a program of psychiatric nursing education prescribed by the council.

(7) The letter of good standing referred to in subsection (2) shall include

- (a) confirmation that the person's registration or licence is not under review and has not been suspended or revoked; or
- (b) details of
 - (i) the conditions or restrictions on the registration or licence, or
 - (ii) the review, suspension or revocation of the registration or licence.

3. (1) Subsection 4(1) of the regulations is repealed and the following substituted:

Provisional registration of registered nurses

4. (1) Where a person applying to be registered as a registered nurse is unable to

- (a) submit satisfactory proof of the successful completion of the registered nurse examination approved by the council; or
- (b) provide a professional reference, where required,

the person may be registered in the provisional register.

(2) Subsection 4(4) of the regulations is amended by deleting the word "nurse's" and substituting the word "nurse".

4. The regulations are amended by adding immediately after section 4 the following:

Provisional registration of registered psychiatric nurses

4.1 (1) Where a person applying to be registered as a registered psychiatric nurse is unable to

- (a) submit satisfactory proof of the successful completion of the registered psychiatric nurse examination approved by the council; or
- (b) provide a professional reference, where required,

the person may be registered in the provisional register.

(2) A person may be registered in the provisional register until the date specified in the certificate of provisional registration unless suspended or revoked earlier.

(3) Registration in the provisional register may be renewed but a person's name shall be removed from the provisional register where 36 months have elapsed from the date the person was entered in the provisional register.

(4) Where a person provides the documentation in subsection (1) and continues to meet the registration requirements of the Act and regulations the person's name shall be removed from the provisional register and entered in the registered psychiatric nurse register.

5. Subparagraph 5(1)(c)(iv) of the regulations is amended by deleting the words "practicing licence" and substituting the words "registered nurse licence".

6. The regulations are amended by adding immediately after section 5 the following:

Registered psychiatric nurse licence

5.01 (1) A person may be granted a registered psychiatric nurse licence where the person

- (a) submits an application in the prescribed form;
- (b) meets the requirements in subsection 14(5) of the Act; and
- (c) provides proof that the person

- (i) successfully completed a psychiatric nursing education program satisfactory to the council within the 36 month period immediately preceding the application for a licence,
- (ii) practised as a registered psychiatric nurse for at least 1125 hours within the preceding 60 month period or 450 hours within the preceding 24 month period,
- (iii) completed an approved psychiatric nursing re-entry program within the preceding 60 month period, or
- (iv) is enrolled and participating in a baccalaureate psychiatric nursing education program or graduate or doctoral program in psychiatric nursing or in a health-related discipline recognized by the council and at the date of admission to the program was eligible for a registered psychiatric nurse licence.

(2) A licence issued under subsection (1) is valid until the date specified in the licence, unless suspended or revoked earlier, and may be renewed annually.

7. (1) Subsection 5.1(1) of the regulations is amended by adding immediately after the words "nursing services" the words "or psychiatric nursing services".

(2) Subsection 5.1(2) of the regulations is amended by deleting the words "registration and licence" and substituting the words "registration and registered nurse licence".

(3) Section 5.1 of the regulations is amended by adding immediately after subsection (2) the following:

(2.1) A person may be issued an emergency registration and registered psychiatric nurse licence for a period of time determined by the executive director or the council where the person

- (a) provides proof satisfactory to the executive director or the council that the person
 - (i) is licensed to practice psychiatric nursing in another jurisdiction in Canada,

- (ii) has successfully completed a psychiatric nursing education program satisfactory to the council in Canada within the past 12 months and has not failed a writing of the approved registered psychiatric nurse examination, or
- (iii) was previously licensed to practice psychiatric nursing in the province;
- (b) provides proof satisfactory to the executive director or the council that the person's licence has not been revoked, suspended or restricted or has conditions attached by reasons of disciplinary or other regulatory measures in another jurisdiction;
- (c) provides proof of identification as required by the executive director or the council; and
- (d) satisfies any other requirements as the executive director or the council may determine are necessary and practicable in the circumstances.

(4) Subsection 5.1(3) of the regulations is amended by deleting the reference "subsection (2)" and substituting the reference "subsection (2) or (2.1)".

(5) Subsection 5.1(4) of the regulations is amended by deleting the reference "subsection (2)" and substituting the reference "subsection (2) or (2.1)".

(6) Subsection 5.1(5) of the regulations is amended by deleting the reference "subsection (2)" and substituting the reference "subsection (2) or (2.1)".

8. (1) Subsection 6(1) of the regulations is repealed and the following substituted:

Interim registered
nurse licence

6. (1) A person may be granted an interim registered nurse licence where

- (a) the person is registered on the provisional register;
- (b) the person

- (i) is registered in accordance with section 3,
- (ii) previously held a registered nurse licence but no longer holds that licence, and
- (iii) meets the requirements in paragraphs 5(1)(a) and (b) but does not meet the requirements in paragraph 5(1)(c); or
- (c) the person has successfully completed the registered nurse examination approved by the council but does not meet the requirements in paragraph 5(1)(c).

(2) Subsection 6(2) of the regulations is amended by deleting the words "interim licence" wherever they appear and substituting the words "interim registered nurse licence".

(3) Subsection 6(2.1) of the regulations is amended by

- (a) deleting the words "interim licence" wherever they appear and substituting the words "interim registered nurse licence"; and**
- (b) deleting the reference "paragraph 6(1)(b)" and substituting the reference "paragraph 6(1)(b) or (c)".**

(4) Subsection 6(3) of the regulations is amended by deleting the words "interim licence" and substituting the words "interim registered nurse licence".

(5) Subsection 6(4) of the regulations is amended by deleting the words "interim licence" and substituting the words "interim registered nurse licence".

9. The regulations are amended by adding immediately after section 6 the following:

Interim registered
psychiatric nurse
licence

6.1 (1) A person may be granted an interim registered psychiatric nurse licence where

- (a) the person is registered on the provisional register;**
- (b) the person**

- (i) is registered in accordance with section 3.1,
 - (ii) previously held a registered psychiatric nurse licence but no longer holds that licence, and
 - (iii) meets the requirements in paragraphs 5.01(1)(a) and (b) but does not meet the requirements in paragraph 5.01(1)(c); or
- (c) the person has successfully completed the registered psychiatric nurse examination approved by the council but does not meet the requirements in paragraph 5.01(1)(c).

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

(3) Where a person is granted an interim registered psychiatric nurse licence under paragraph 6.1(1)(b) or (c), the person shall

- (a) practise as a registered psychiatric nurse for at least 450 hours within the 24 month period following the date of issuance of the interim registered psychiatric nurse licence or another time approved by the council; and
- (b) provide proof satisfactory to the council of an employer sponsor.

(4) An interim registered psychiatric nurse licence is valid from the date of issuance until the date specified in the licence unless suspended or revoked earlier.

(5) An interim registered psychiatric nurse licence may, with the approval of the council, be renewed for a maximum of 2 years from the date of issuance.

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

Exam failure-
registered nurse

7. (1) Where a person fails a first writing of the approved registered nurse examination, the person's interim registered nurse licence

shall be revoked but the person may remain registered on the provisional register and may be granted a further interim registered nurse licence subject to the conditions and restrictions determined by the council.

11. The regulations are amended by adding immediately after section 7 the following:

Exam failure-
registered psychiat-
ric nurse

7.01 (1) Where a person fails a first writing of the approved registered psychiatric nurse examination, the person's interim registered psychiatric nurse licence shall be revoked but the person may remain registered on the provisional register and may be granted a further interim registered psychiatric nurse licence subject to the conditions and restrictions determined by the council.

(2) Where a person fails a second writing of the approved registered psychiatric nurse examination the person's interim licence granted under subsection (1) shall be revoked but the person may remain registered on the provisional register.

(3) Where a person has not successfully completed the approved registered psychiatric nurse examination at the time the person is removed from the provisional register, the person shall not be eligible for registration.

12. (1) Section 7.1 of the regulations is amended by adding immediately after subsection (1) the following:

(1.1) A licence issued to a registered psychiatric nurse under section 5.01 may include the authority to prescribe where the registered psychiatric nurse provides the following:

- (a) satisfactory proof of the successful completion of a registered psychiatric nurse prescribing education program approved by the council;
- (b) proof satisfactory to the council of an employer sponsor; and
- (c) a declaration from the registered psychiatric nurse stating that the registered psychiatric nurse will only prescribe in accordance with the standards established by the council.

(2) Subsection 7.1(2) of the regulations is amended by adding immediately after the word "nurse" the words "or registered psychiatric nurse".

13. Subsection 11(1) of the regulations is amended by

- (a) deleting the words "registered nurse" and substituting the word "registrant"; and
- (b) deleting the words "registered nurse's" and substituting the word "registrant's".

14. (1) Subsection 12(1) of the regulations is amended by

- (a) deleting the words "licence to practise nursing" and substituting the words "registered nurse licence";
- (b) deleting the reference "*Criminal Code (Canada)*" wherever it appears and substituting the reference "Criminal Code"; and
- (c) deleting the words "practicing licence" and substituting the words "registered nurse licence".

(2) Subsection 12(1.1) of the regulations is amended by deleting the words "licence to practise nursing" and substituting the words "registered nurse licence".

(3) Subsection 12(2) of the regulations is amended by deleting the words "person's licence" wherever they appear and substituting the words "person's registered nurse licence".

(4) Subsection 12(3) of the regulations is amended by deleting the words "person's licence" and substituting the words "person's registered nurse licence".

(5) Subsection 12(4) of the regulations is amended by deleting the words "licence to practise nursing" and substituting the words "registered nurse licence".

15. The regulations are amended by adding immediately after section 12 the following:

Renewal of registered psychiatric nurse licence

12.1 (1) A person applying for a renewal of a registered psychiatric nurse licence shall submit

- (a) a renewal application in the prescribed form;
- (b) a declaration stating
 - (i) that the person has never been convicted of an offence under the Criminal Code, *the Controlled Drugs and Substances Act (Canada)* or a similar penal statute, or
 - (ii) the details of the person's convictions under the Criminal Code, *the Controlled Drugs and Substances Act (Canada)* or a similar penal statute;
- (c) proof satisfactory to the council that the person has successfully completed the program of continuing competency required by the council;
- (d) proof that the person
 - (i) successfully completed a psychiatric nursing education program satisfactory to the council within the 36 month period immediately preceding the application for a licence,
 - (ii) practised as a registered psychiatric nurse for at least 1125 hours within the preceding 60 month period or 450 hours within the preceding 24 month period,
 - (iii) completed an approved psychiatric nursing re-entry program within the preceding 60 month period, or
 - (iv) is enrolled and participating in a baccalaureate psychiatric nursing education program or graduate or doctoral program in psychiatric nursing or in a health-related discipline recognized by the council and at the date of admission to the program was eligible for a registered psychiatric nurse licence.

(2) In addition to the requirements in subsection (1), the council may require a person applying for a renewal of a registered psychiatric nurse licence to provide a letter of good standing from one or more of

the jurisdictions where the person was registered or licensed in the 12 month period preceding the submission of the person's renewal application.

(3) Notwithstanding subparagraph (1)(d)(iv), a person shall not be granted a renewal of the person's registered psychiatric nurse licence where the person

(a) is enrolled in a baccalaureate psychiatric nursing education program or a graduate or doctoral program in psychiatric nursing or in a health-related discipline for more than 5 years; and

(b) has had the person's registered psychiatric nurse licence renewed each year for the preceding 5 year period.

(4) Notwithstanding paragraph (1)(c), a person who has not completed the continuing competency program may be granted a renewal of the person's registered psychiatric nurse licence subject to the conditions prescribed by the council.

(5) Where a registered psychiatric nurse licence referred to in subsection (1) includes authority to prescribe, the person applying for a renewal shall, in addition to the requirements in subsection (1),

(a) submit proof satisfactory to the council of an employer sponsor; and

(b) provide a declaration that the person will only prescribe in accordance with the standards established by the council.

16. (1) Subsection 17(1) of the regulations is amended by deleting the word "members" and substituting the word "registrants".

(2) Subsection 17(2) of the regulations is amended by deleting the word "members" and substituting the word "registrants".

(3) Subsection 17(3) of the regulations is amended by deleting the word "Members" and substituting the word "Registrants".

17. Section 18 of the regulations is amended by adding immediately after subsection (2) the following:

(3) The council shall approve a program of education for registered psychiatric nurses where the program meets the standards and criteria established by the council including provision of clinical, laboratory and theoretical experience necessary to meet standards of practice for registered psychiatric nurses and achieve the council's required competencies of a registered psychiatric nurse.

18. Subsection 19(2) of the regulations is amended by

- (a) deleting the word "member" and substituting the word "registrant"; and**
- (b) deleting the word "member's" and substituting the word "registrant's".**

19. These regulations come into force on January 1, 2025.

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2024**

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Chapter 23	<u><i>Registered Nurses (Amendment) Act, 2008</i></u> (In force Jan. 1/25) <i>Children, Youth and Families Act</i> <i>Gunshot and Stab Wound Reporting Act</i> <i>Health and Community Services Act</i> <i>Licensed Practical Nurses Act, 2005</i> <i>Pharmaceutical Services Act</i> <i>Pharmacy Act, 2024</i> <i>Vital Statistics Act, 2009</i>

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Fair Registration Practices Act

Government Money Purchase Pension Plan Act

Gunshot and Stab Wound Reporting Act

Health and Community Services Act

Highway Traffic Act

Licensed Practical Nurses Act, 2005 (Repealed)

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Workplace Hazardous Materials Information System (WHIMIS) Regulations, 2018

This list was prepared by the Office of the Legislative Counsel.

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

Office of the Legislative Counsel

Department of Justice and Public Safety

Government of Newfoundland and Labrador

4th Floor East Block, Confederation Building

P.O. Box 8700

St. John's, NL A1B 4J6

F 729.729.2129

legcounsel@gov.nl.ca

www.assembly.nl.ca/legislation/

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