

NOTE: Attached to the end of Part II is a list of Statutes of Newfoundland and Labrador, 2005 as enacted up to Dec. 13, 2005.

Attached is a list of publication dates for the year 2006.



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 81

ST. JOHN'S, FRIDAY, JANUARY 6, 2006

No. 1

MINERAL ACT

NOTICE

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

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

A portion of license 007151M
Held by Freeport Resources Inc.
Situates near Miriam Lake
On map sheet 14M/12
more particularly described in an application on file at Department of Natural Resources

Note – no lands coming open for staking. Will become part of the Torngat National Park.

A portion of license 006006M 006007M
Held by Freeport Resources Inc.
Situates near Miriam Lake
On map sheet 14M/12
more particularly described in an application on file at Department of Natural Resources

Note – no lands coming open for staking. Will become part of the Torngat National Park.

Mineral License 007751M
Held by Candor Ventures Corp.
Situates near Mobile Big Pond,
Avalon Peninsula
On map sheet 01N/07

Mineral License 007761M
Held by Toms, David J.
Situates near Bishops Falls, Central NL
On map sheet 02E/03

Mineral License 008195M
Held by SVB Nickel Company Ltd
Situates near North of Adlatok River
On map sheet 13M/09

Mineral License 009098M
Held by Altius Resources Inc.
Situates near Burke Brook, Southern NL
On map sheet 11O/16

Mineral License 009694M
Held by Cornerstone Resources Inc.
Situates near Little Hearts Ease, Eastern NL
On map sheet 02C/04 01N/13

Mineral License 010245M 010246M 010247M
Held by Cramm, David
Situate near Peters River, Central NL
On map sheet 02E/04

after the hour of 9:00 a.m. on the 32nd clear day after the date of this publication.

JIM HICHEY, P. Geo
Manager - Mineral Rights

Mineral License 010312M
Held by Taylor, William A.
Situate near Marystown, Burin Peninsula
On map sheet 01M/03

File # 774:2873, 3042, 4094, 4102, 4382, 4958, 5329, 5692, 5732, 5733, 5734, 5735, 5736, 5737, 5741, 5742, 5743

Mineral License 010313M 010314M
Held by Lewis, Gary E.
Situate near Peters River, Central NL
On map sheet 02E/04

Jan 6

LANDS ACT

NOTICE OF INTENT

LANDS ACT, Chapter 36, S.N. 1991

Notice is hereby given that the Peter Noel of St. John's, NL intends to apply to the Department of Environment and Conservation, two months from the publication of this Notice, to acquire title, pursuant to Section 7(2)(e) of the said Act, to that piece of Crown Land situated within fifteen (15) metres of the waters of Clode Sound in the Electoral District of Terra Nova for the purpose of a wharf and being more particularly described as follows:

*Bounded on the North by Clode Sound
for a distance of 5 m;*

*Bounded on the East by Lease (Peter Noel)
for a distance of 5 m;*

*Bounded on the South by waters of Hanns Brook
for a distance of 10 m;*

*Bounded on the West by Clode Sound
for a distance of 10 m;*

*and containing an area of
approximately 50 square metres.*

Any person wishing to object to the application must file the objection, in writing, within one month from the publication of this notice, with reasons for it, to the Minister of Environment and Conservation, c/o Eastern Regional Lands Office, P. O. Box 8700, 5 Mews Place, St. John's, NL, A1B 4J6.

For further information regarding the proposed application, please contact Peter Noel, Telephone (709) 682-6649.

Jan 6

Mineral License 010316M
Held by Hutchings, Christopher
Situate near Hearts Content, Avalon Peninsula
On map sheet 01N/14

Mineral License 010315M
Held by Hutchings, Christopher
Situate near Winterton, Avalon Peninsula
On map sheet 01N/14

Mineral License 010317M
Held by O'Keefe, Adrian
Situate near Sandy Lake, Central NL
On map sheet 02D/12 12A/09

Mineral License 010318M
Held by Martin, Edward
Situate near Paddys Pond, Avalon Peninsula
On map sheet 01N/07

Mineral License 010319M
Held by Meskea Consulting
Situate near Cape Caribou River
On map sheet 13F/07E 13F/10

Mineral License 010327M
Held by Oram, Eric
Situate near Freshwater Bay, Eastern NL
On map sheet 02D/16 02C/13 02C/14

Mineral License 010328M
Held by Sweetapple, Walter
Situate near Cottle Island, Eastern NL
On map sheet 02C/13 02C/14

Mineral License 010329M
Held by Sweetapple, Ronald
Situate near Cottle Island, Eastern NL
On map sheet 02C/13 02C/14

The lands covered by this notice except for the lands within Exempt Mineral Lands, the Exempt Mineral Lands being described in Consolidated Newfoundland and Labrador Regulations 1143/96 and Newfoundland and Labrador Regulation 71/98, 104/98, 97/2000, 36/2001 and 31/2004 and outlined on 1:50 000 scale maps maintained by the Department of Natural Resources, will be open for staking

CHANGE OF NAME ACT

C-8 RSN 1990

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

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

ALEXANDER GRANT CHAULK

of 362 Bauline Line Extension, Portugal Cove-St. Philip's, A1M 2W1, in the Province of Newfoundland and Labrador, as follows:

To change my name from

ALEXANDER GRANT CHAULK
to
ALEXANDER GRANT KING

DATED this 15th day of December, 2005

ALEXANDER CHAULK
(Signature of Applicant)

Jan 6



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

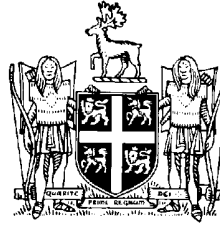
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ST. JOHN'S, FRIDAY, JANUARY 6, 2006

No.1

NEWFOUNDLAND AND LABRADOR REGULATION

NLR 1/06



NEWFOUNDLAND AND LABRADOR REGULATION 1/06

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

(Filed January 3, 2006)

Under the authority of section 55 of the *Judicature Act*, the Rules Committee of the Trial Division makes the following rules.

Dated at St. John's, January 3, 2006.

Barry R. Sparkes, Q.C.
Registrar of the Supreme Court
Secretary, Rules Committee

RULES

Analysis

- | | |
|-------------------------|----------------------------|
| 1. Rule 44A R&S | 44A.04 Payment |
| RULE 44A | 44A.05 Advance payment |
| ADVANCE | not a full |
| PAYMENT OF | determination |
| DAMAGES | 44A.06 Multiple |
| | applications |
| 44A.01 Advance payment | 44A.07 Notice to defendant |
| of damages | 44a.08 Rule not exhaustive |
| 44A.02 Application | |
| 44A.03 Determination of | 2. Commencement |
| amount | |

1. Rule 44A of the *Rules of the Supreme Court, 1986* is repealed and the following substituted:

**RULE 44A
ADVANCE PAYMENT OF DAMAGES**

Advance payment of damages

44A.01. Before damages are assessed, a judge may order the defendant to make an advance payment to the plaintiff on account of special damages if the court is satisfied that

- (a) the defendant against whom the order is sought has admitted liability for all or part of the special damages claimed; or
- (b) the plaintiff has obtained judgment against the defendant with damages to be assessed, and, following notice of the plaintiff's application for advance payment given in accordance with rule 44A.07, the defendant has not filed any reply taking issue with the special damages, or sought any part thereof, for which the advance payment is sought.

Application

44A.02. In any application for an advance payment of special damages, the plaintiff must specify, supported by affidavit evidence, the amount and nature of the special damages for which payment is sought.

Determination of amount

44A.03. In determining the amount of an advance payment, the judge may take in to account any circumstances that the judge considers relevant, including

- (a) the amount of special damages already incurred or likely to be incurred before damages are assessed;
- (b) any counterclaim by the defendant;
- (c) the extent, if any, to which the plaintiff may be found at trial to be contributorily negligent;

- (d) the extent, if any, to which the plaintiff may be found at trial not to have mitigated the amount of special damages; and
- (e) the needs and resources of the plaintiff and the means of the defendant, including the availability to the defendant of insurance to indemnify the defendant in respect of the plaintiff's claim.

Payment

44A.04. The judge may order that payment under rule 44A.01 may be made by lump sum, by instalment, or by both.

Advance payment not a full determination

44A.05. An order for an advance payment of special damages is not a final determination of the extent of the plaintiff's claim in respect of the type or types of special damages for which the advance payment was sought, but the receipt by the plaintiff of an advance payment shall be considered to be a release of the defendant to the extent of such payment.

Multiple applications

44A.06. A plaintiff may make more than one application pursuant to this rule.

Notice to defendant

44A.07. Where a plaintiff obtains a judgment by default against a defendant with damages to be assessed, the plaintiff shall, notwithstanding rule 16.07, serve the defendant with notice of an application for an advance payment under this rule.

Rule not exhaustive

44A.08. Nothing in this rule affects or precludes the right of a plaintiff to seek an advance payment of damages pursuant to the *Automobile Insurance Act* or otherwise at common law.

Commencement

2. This rule comes into force on January 6, 2006.

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PART II

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Rules of the Supreme Court, 1986 (Amdt)	NLR 1/06	Rule 44A R&S	Jan. 6/06 p.3

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**STATUTES OF NEWFOUNDLAND AND LABRADOR
2005**

**Second Session, 45th General Assembly
54 Elizabeth II, 2005**

Bill	Act	Chapter
2	<i>Interim Supply Act, 2005</i> (In force April 1, 2005)	1
3	<i>Supplementary Supply Act, 2004-2005</i>	2
	(ASSENTED TO MARCH 24, 2005)	
4	<i>Supply Act, 2005</i>	3
25	<i>Supplementary Supply Act, 2004-2005</i> No. 2	4
5	<i>Tobacco Tax (Amendment) Act</i> (In force March 22, 2005)	5
14	<i>Loan and Guarantee (Amendment) Act,</i> 1957	6
12	<i>Investment Contracts (Repeal) Act</i>	7
6	<i>Literacy Development Council (Repeal) Act</i> (To be proclaimed)	8
15	<i>City of Corner Brook (Amendment) Act,</i> <i>City of Mount Pearl (Amendment) Act,</i> <i>Municipalities (Amendment) Act, 1999</i> <i>and St. John's Assessment (Amendment)</i> <i>Act</i>	9
8	<i>Income Tax (Amendment) Act, 2000</i> (S.6 in force January 1, 2001 and Ss. 1 - 5 & 7 - 19 in force January 1, 2004)	10
9	<i>Public Service Pensions (Amendment) Act,</i> 1991, <i>Teachers' Pensions (Amendment)</i> <i>Act and Uniformed Services Pensions</i> <i>(Amendment) Act, 1991</i>	11

Bill	Act	Chapter
* 1	<i>Municipal Elections (Amendment) Act</i>	12
11	<i>Financial Services Appeal Board Act</i>	F-9.1
10	<i>Services Charges (Amendment) Act</i> (In force November 1, 2005)	13
17	<i>Rooms Act</i>	R-15.1
13	<i>Wild Life (Amendment) Act</i>	14
7	<i>Executive Council (Amendment) Act</i>	15
18	<i>Liquor Corporation (Amendment) Act</i>	16
22	<i>Natural Products Marketing (Amendment) Act and Farm Practices Protection (Amendment) Act</i>	17
28	<i>Labrador Inuit Land Claims Agreement (Amendment) Act</i> (In force when SNL2004 cL-3.1 is proclaimed)	18
31	<i>Canada-Newfoundland And Labrador At- lantic Accord Implementation New- foundland and Labrador (Amendment) Act</i> (In force when SNL2004 cL-3.1 is proclaimed)	19
30	<i>Law Society (Amendment) Act, 1999</i>	20
29	<i>Municipalities (Amendment) Act, 1999 and Municipal Elections (Amendment) Act</i> (Ss. 1, 3 and 4 in force January 1, 2006)	21
27	<i>Insurance Companies (Amendment) Act</i>	22
19	<i>Aquaculture (Amendment) Act</i>	23
21	<i>Medical Act, 2005</i> (In force July 1, 2005)	M-4.01
23	<i>Local Authority Guarantee Act, 2005</i> (In force June 9, 2004)	L-24.2

Bill	Act	Chapter
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33	<i>Highway Traffic (Amendment) Act and Provincial Offences (Amendment) Act</i>	25
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37	<i>City of Corner Brook (Amendment) Act,</i> <i>City of Mount Pearl (Amendment) Act</i> <i>and City of St. John's (Amendment) Act</i>	26
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* 26	<i>Automobile Insurance (Amendment) Act</i> (In force July 1, 2005)	29
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Bill	Act	Chapter
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* 24	<i>Members of the House of Assembly Retiring Allowances Act (Ss.9, 10 & 11 in force Jan. 1, 1992)</i>	M-6.1
* 32	<i>Forestry (Amendment) Act</i>	40
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52	<i>Dispensing Opticians Act, 2005</i>	D-25.1
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54	<i>Licensed Practical Nurses Act, 2005</i>	L-12.1
55	<i>Massage Therapy Act, 2005</i>	M-1.2
56	<i>Occupational Therapists Act, 2005</i>	O-4.1
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Bill	Act	Chapter
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(ASSENTED TO DECEMBER 13, 2005)

* Bills amended in Committee of the Whole House.

In researching the law readers should note that the following Statutes of Newfoundland and Labrador, 2005 include amendments to other Statutes as listed below:

Chapter D-7.1	<u><i>Denturists Act, 2005</i></u> <i>Denturists Act</i> (Repealed)
Chapter D-23.1	<u><i>Dietitians Act</i></u> <i>Dieticians Act</i> (Repealed)
Chapter D-25.1	<u><i>Dispensing Opticians Act, 2005</i></u> <i>Dispensing Options Act</i> (Repealed)

Chapter F-9.1	<u><i>Financial Services Appeal Board Act</i></u> <i>Insurance Adjusters, Agents and Brokers Act</i> <i>Mortgage Brokers Act</i> <i>Real Estate Trading Act</i> <i>Securities Act</i>
Chapter H-2.01	<u><i>Hearing Aid Practitioners Act</i></u> <i>Hearing Aid Dealers Act</i> (Repealed)
Chapter L-12.1	<u><i>Licensed Practical Nurses Act, 2005</i></u> <i>Licensed Practical Nurses Act</i> (Repealed)
Chapter L-24.2	<u><i>Local Authority Guarantee Act, 2005</i></u> - (In force June 9, 2004) <i>Local Authority Guarantee Act, 1957</i> (Repealed)
Chapter M-1.01	<u><i>Management of Information Act</i></u> <i>Archives Act</i> (Repealed)
Chapter M-1.2	<u><i>Massage Therapy Act, 2005</i></u> <i>Massage Therapy Act</i> (Repealed)
Chapter M-4.01	<u><i>Medical Act, 2005</i></u> - (In force July 1, 2005) <i>Medical Act</i> (Repealed)
Chapter M-6.1	<u><i>Members of the House of Assembly Retiring Allowances Act -</i></u> (Ss.9, 10 & 11 in force Jan. 1, 1992) <i>House of Assembly Act</i> <i>Pensions Funding Act</i> <i>Members of the House of Assembly Pensions Act</i> (Repealed)
Chapter O-4.1	<u><i>Occupational Therapists Act, 2005</i></u> <i>Occupational Therapists Act</i> (Repealed)
Chapter P-34.1	<u><i>Psychologists Act, 2005</i></u> <i>Psychologists Act</i> (Repealed)
Chapter R-15.1	<u><i>Rooms Act</i></u> <i>Historic Resources Act</i>
Chapter S-16.2	<u><i>Smoke-Free Environment Act, 2005</i></u> - (To be proclaimed) <i>Liquor Control Act</i> <i>Smoke-free Environment Act</i> (Repealed)

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

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

**Dept of Government Services
Office of the Queen's Printer**

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