



# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART I

### PUBLISHED BY AUTHORITY

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Vol. 85

ST. JOHN'S, FRIDAY, MARCH 26, 2010

No. 12

### PROCLAMATION

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

JOHN C. CROSBIE  
Lieutenant Governor

FELXI COLLINS  
Attorney General

TO ALL TO WHOM THESE PRESENTS SHALL COME,

GREETING;

A PROCLAMATION

WHEREAS the Forty-Sixth General Assembly stands prorogued;

AND WHEREAS I think fit to summon the Third Session of the said General Assembly to meet on Monday, the 22<sup>nd</sup> day of March, 2010;

I DO, THEREFORE, by this My Proclamation summon the Third Session of the said General Assembly to meet for the dispatch of business at 2:00 p.m. on Monday, the 22<sup>nd</sup> day of March, 2010 of which all persons concerned are hereby required to take due notice and govern themselves accordingly.

WITNESS: Our trusty and well-beloved the Honourable John Carnell Crosbie, Member of the Privy Council of Canada, Officer of the Order of Canada, Chancellor of the Order of Newfoundland and Labrador, and one of Her Majesty's Counsel learned in the law, Lieutenant Governor in and for Our Province of Newfoundland and Labrador.

AT OUR GOVERNMENT HOUSE in Our City of St. John's this 18<sup>th</sup> day of March in the year of Our Lord two thousand and ten in the fifty-ninth year of Our Reign.

BY COMMAND,

DIANNE WHALEN  
Registrar General

Mar 26

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## MINERAL ACT

### NOTICE

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

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

Fee Simple Mining Grant	Portion of Nfld. Manganese, Volume 1, Folio 112
held by situate near on map sheet	Greenslades Construction Limited. Kelligrews, Avalon Peninsula 1N/6
Fee Simple Mining Grant	Portion of Nfld. Manganese, Volume 1, Folio 112
held by situate near on map sheet	Town Council for the Town of Conception Bay South Kelligrews, Avalon Peninsula 1N/6
Fee Simple Mining Grant	A.N.D. Company, Volume 1, Folio 110 Celtic Minerals Ltd. Victoria River, Central Newfoundland 12A/10

The lands covered by this notice except for the lands within Exempt Mineral Lands, the Exempt Mineral Lands being described in Consolidated Mineral Regulations 1143/96 and Mineral Regulations 71/98, 104/98, 97/200, 36/2001, 31/2004, 78/2006, 8/2008 and 28/2009 outlined on 1:50 000 scale maps maintained by the Department of Natural Resources, will be open for staking after the hour of 9:00 AM on the 32nd clear day after the date of this publication.

JIM HINCHEY, P.Geo.  
Manager - Mineral Rights

File # : 772: 017, 29:04, 29:11

Mar 26

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## MOTOR CARRIER ACT

IN THE MATTER OF THE **MOTOR CARRIER ACT**,  
cM-19, RSNL 1990  
AND  
IN THE MATTER OF THE APPLICATION FOR A  
MOTOR CARRIER CERTIFICATE

### NOTICE OF APPLICATION

TAKE NOTICE that LABRADOR AMBULANCE SERVICE LIMITED of P.O. Box 1086, Lewisport, NL, A0G 3A0, has applied to the Board of Commissioners of Public Utilities under the provisions of the *Motor Carrier Act*, cM-19, RSNL 1990, for an amendment of a Certificate as follows:

TO AMEND:

*IRREGULAR ROUTE SPECIALTY AMBULANCE SERVICE for the transportation of persons requiring medical attention or under medical care upon the request of a medical doctor or a registered nurse*

**from happy Valley-Goose Bay, Northwest River, Sheshatshiu, and any point on Highway Route No. 250 to any hospital, nursing home, first aid station or home for senior citizens and upon the specific request of a medical doctor, registered nurse or a police officer between any two points within the province of Newfoundland and Labrador.**

TO READ:

*IRREGULAR ROUTE SPECIALTY AMBULANCE SERVICE for the transportation of persons requiring medical attention or under medical care upon the request of a medical doctor or a registered nurse*

**from Happy Valley-Goose Bay, North West River, Sheshatshiu, any point on Route 520, any point on Route 500 between Goose Bay and the intersection of Route 500 and 510 and any point on Route 510 from intersection of Route 500 to and including Paradise River, and Cartwright to any hospital, nursing home, first aid station or home for senior citizens and upon the specific request of a medical doctor, registered nurse or a police officer between any two points within the province of Newfoundland and Labrador.**

The Board, having reviewed the application, has granted provisional approval and shall issue said Amendment, unless a person who objects to the application files with the Board a notice of objection to the application together with a written statement setting out in full the reasons why the application should be denied and relevant documentary evidence. The objector must also serve on the applicant a copy of the notice of objection, the statement of reasons and the relevant documentary evidence filed with the Board by personal service or by prepaid, registered mail, at the address shown on the application, and proof of service must be supplied to the Board.

The evidence to be submitted must be received by the Board within twenty days of the date of the publication of this notice, at the office of the Board at Suite East 210, Prince Charles Building, Torbay Road, NL or by mail to P. O. Box 21040, St. John's, NL A1A 5B2.

Dated at Lewisport, Newfoundland and Labrador, this 9<sup>th</sup> day of March, 2010.

Fred Freake  
Signature of Applicant

Mar 26

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**URBAN AND RURAL PLANNING ACT**

**NOTICE OF REGISTRATION  
TOWN OF LABRADOR CITY  
DEVELOPMENT REGULATIONS  
AMENDMENT NO. 5, 2009  
AND  
DEVELOPMENT REGULATIONS  
AMENDMENT NO. 6, 2010**

Take notice that the Town of Labrador City Development Regulations Amendment No. 5, 2009, and Development Regulations Amendment No. 6, 2010, adopted by Council on the 16th day of February, 2010, have been registered by the Minister of Municipal Affairs.

In general terms, Development Regulations Amendment No. 5, 2009, will:

- a) Amend Condition 12 - Sideyard Width in the Residential-1 (R-1) Land Use Zone Table, Schedule C;
- b) Amend Condition 8(i)(c) - Decks & Patios in Front of a Building Line in the Residential-1 (R-1) Land Use Zone Table, Schedule C;
- c) Reduce the maximum height of a double dwelling from 8 metres to 6 metres in the Residential (R-2) Land Use Zone Table, Schedule C;
- d) Amend Condition 6 – Outdoor Living Area in the Residential-2 (R-2) Land Use Zone Table, Schedule C;
- e) Amend Condition 15 - Sideyard Width in the Residential-2 (R-2) Land Use Zone Table, Schedule C;
- f) Delete Seasonal Residential as a permitted use and adding it as a discretionary use to the Mineral Reserve-Rural (MRR) Land Use Zone Table, Schedule C;
- g) Amend definitions for Accessory Building, Floor Area, and Lot Coverage to Schedule A; and
- h) Add a new definition for Outdoor Living Area to Schedule A.

Development Regulations Amendment No. 6, 2010, will:

- a) Amend Condition 3 – Accessory Buildings in the Residential-1 (R-1) Land Use Zone Table, Schedule C; and
- b) Amend Condition 9 - Accessory Buildings in the Residential-2 (R-2) Land Use Zone Table, Schedule C.

The Town of Labrador City Development Regulations Amendment No. 5, 2009, and Development Regulations Amendment No. 6, 2010, comes into effect on the day that this notice is published in *The Newfoundland Gazette*. Anyone who wishes to inspect a copy of the Town of Labrador City Development Regulations Amendment No. 5, 2009, and Development Regulations Amendment No. 6, 2010, may do so at the Town Office, Labrador City during normal working hours.

MS. DIANE GEAR  
Town Clerk

Mar 26

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**NOTICE OF REGISTRATION  
TOWN OF BISHOP'S FALLS  
MUNICIPAL PLAN  
AMENDMENT NO. 16, 2009  
AND  
DEVELOPMENT REGULATIONS  
AMENDMENT NO. 18, 2009**

Take notice that the Town of Bishop's Falls Municipal Plan Amendment No. 16, 2009 and Development Regulations Amendment No. 18, 2009 as adopted on the 24th day of November, 2009 and approved on the 19th day of January,

2010 have been registered by the Minister of Municipal Affairs.

In general terms the purpose of the Municipal Plan amendment and Development Regulations amendment is to allow additional residential development in Country Road and Hampton's Hill.

In order to accommodate this it will be necessary to change the Municipal Plan Designation on Map 3.1 from Recreation Open Space to Residential Short Term, and to amend the Development Regulations Zone on Map 5.1 from Recreational Open Space to Residential Medium Density for this area lying between the properties and the Stadium.

The Municipal Plan Amendment No. 16, 2009 and Development Regulations Amendment No. 18, 2009 come into effect on the day that this notice is published in *The Newfoundland Gazette*.

Anyone who wishes to inspect a copy of the Bishop's Falls Municipal Plan Amendment No. 16, 2009 and Development Regulations Amendment No. 18, 2009 may do so at the Bishop's Falls Town Office during normal working hours.

RANDY DROVER  
Town Clerk

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Mar 26

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## LANDS ACT

### NOTICE OF INTENT

#### LANDS ACT, c36, SNL 1991

Notice is hereby given that GREGORY CARTER of 25 Regent Street, 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 Ocean Pond, in the Electoral District of Placentia – St. Mary's for the purpose of wharf construction and being more particularly described as follows:

*Bounded on the North by waters of Ocean Pond  
for a distance of 3.0m;  
Bounded on the East by 15m reservation  
for a distance of 1.4m;  
Bounded on the South by 15m reservation  
for a distance of 3.0m;  
Bounded on the West by 15m reservation  
for a distance of 1.4m;  
and containing an area of  
approximately 4.2 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, and mail to the nearest Regional Lands Office:

(Choose Area Applicable)

c/o Eastern Regional Lands Office, P. O. Box 8700, 5 Mews Place, St. John's, NL, A1B 4J6.

c/o Central Regional Lands Office, P. O. Box 2222, Gander, NL, A1V 2N9.

c/o Western Regional Lands Office, P. O. Box 2006, Noton Building, Corner Brook, NL, A2H 6J8.

c/o Labrador Regional Lands Office, P. O. Box 3014, Station "B", Happy Valley-Goose Bay, NL A0P 1E0.

For further information on the proposed application, please contact GREGORY CARTER Telephone (709) 722-4734.

Mar 26

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## NOTICE OF INTENT

#### LANDS ACT, c36, SNL 1991

Notice is hereby given that RALPH WILLIAM PILGRIM of St. Lunarie - Griquet, 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)(a) of the said Act, to that piece of Crown Land situated within fifteen (15) metres of the waters of Griquet, in the Electoral District of Strait of Belle Isle for the purpose of Homestead and being more particularly described as follows:

*Bounded on the North by White Cape Harbour  
for a distance of 11m;  
Bounded on the East by Crown Land  
for a distance of 2.5m;  
Bounded on the South by Ralph Pilgrim  
for a distance of 11m  
Bounded on the West by Crown Land  
for a distance of 3m;  
and containing an area of  
approximately 31.63 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, and mail to the nearest Regional Lands Office:

(Choose Area Applicable)

c/o Eastern Regional Lands Office, P. O. Box 8700, 5 Mews Place, St. John's, NL, A1B 4J6.

c/o Central Regional Lands Office, P. O. Box 2222, Gander, NL, A1V 2N9.

c/o Western Regional Lands Office, P. O. Box 2006, Noton Building, Corner Brook, NL, A2H 6J8.

c/o Labrador Regional Lands Office, P. O. Box 3014, Station "B", Happy Valley-Goose Bay, NL A0P 1E0.

For further information on the proposed application, please contact RALPH PILGRIM Telephone (709) 623-2258.

Mar 26

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**TRUSTEE ACT**

**ESTATE NOTICE**

IN THE MATTER OF the Estate of, MARGARET ELIZABETH MURPHY late of St. John's, in the Province of Newfoundland and Labrador, Newfoundland and Labrador, retired retail clerk, deceased.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Margaret Elizabeth Murphy, aforesaid, deceased, who died at St. John's in the Province of Newfoundland and Labrador, on or about the 27th. day of September, 2009, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned Solicitor for the Executor of the Estate of the said deceased on or before the 9th. day of April, 2010 after which date the Executor will proceed to distribute the Estate having regard only to the claims of which it shall then have had notice.

DATED at St. John's, Newfoundland and Labrador, this 16th. day of March, 2010.

BENSON MYLES PLC INC.  
PER: J. DAVID B. BAIRD, QC  
Solicitor for the Executor

**ADDRESS FOR SERVICE:**

Suite 900, Atlantic Place  
P.O. Box 1538  
Water Street  
St. John's, NL  
A1C 5N8  
Tel: (709) 579-2081  
Fax: (709) 579-2647

Mar 26, Apr 1

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**ESTATE NOTICE**

IN THE MATTER OF the Estate of ROBERT KEITH DUFFETT late of Bishop's Falls in the Province of Newfoundland and Labrador, Deceased

All persons claiming to be creditors of or who have any claims or demands either as beneficiaries or next of kin (by blood, legal adoption or marriage) upon or affecting the Estate of Robert Keith Duffett, who died at Bishop's Falls, NL on or about April 11th, 2008 are hereby requested to send particulars thereof in writing, duly attested, to the Registrar Supreme Court, Estates Division ,Viking Building, 136 Crosbie Road, Suite 401, John's, NL, A1B 3K3, Administrator of the estate of Robert Keith Duffett on or before April 30th, 2010, after which date the said Administrator will proceed to distribute the Estate having

regard only to the claims of which he then shall have had notice.

DATED at St. John's, in the Province of NL, this 17th day of March, 2010.

REGISTRAR OF THE SUPREME COURT  
Administrator of the Estate of  
Robert Keith Duffett

Mar 26

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# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART II

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

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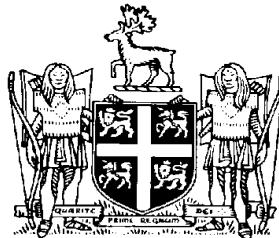
Vol. 85

ST. JOHN'S, FRIDAY, MARCH 26, 2010

No. 12

#### NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 15/10  
NLR 16/10  
NLR 17/10



## NEWFOUNDLAND AND LABRADOR REGULATION 15/10

*Repeal of Notice of Protected Water Supply Area  
of Burlington West  
under the  
Water Resources Act*

*(Filed March 23, 2010)*

Under the authority of section 39 of the *Water Resources Act*, I give the following notice.

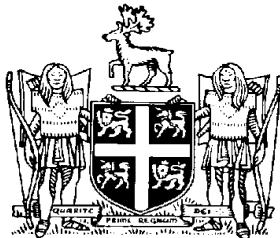
Dated at St. John's, March 12, 2010.

Charlene Johnson  
Minister of Environment and Conservation

### NOTICE

The *Notice of Protected Water Supply Area of Burlington West, Consolidated Newfoundland and Labrador Regulation 541/96, is repealed.*

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## **NEWFOUNDLAND AND LABRADOR REGULATION 16/10**

*Guides Regulations, 1998 (Amendment)*  
under the  
*Wild Life Act*  
(O.C. 2010-081)

*(Filed March 24, 2010)*

Under the authority of section 7 of the *Wild Life Act*, the minister, with the approval of the Lieutenant-Governor in Council, makes the following regulations.

Dated at St. John's, March 23, 2010.

Charlene Johnson  
Minister of Environment and Conservation

Gary Norris  
Clerk of the Executive Council

## **REGULATIONS**

### *Analysis*

1. S.2 Amdt. Definitions	2. S.14 R&S Angling and shooting by guides prohibited while em- ployed
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NLR 60/98  
as amended

**1. (1) Paragraph 2 of the *Guides Regulations, 1998* is amended by adding immediately before paragraph (a) the following:**

(a.01) "artificial fly" means an artificial fly as defined in the *Newfoundland and Labrador Fishery Regulations* (Canada);

**(2) Paragraph 2 of the regulations is amended by adding immediately after paragraph (a) the following:**

(a.1) "hooks" and "hooking" means to be in possession of a hook and line with the line held in the hand, or a hook, line and rod with the rod held in the hand, when a fish takes the attached bait, lure, or artificial fly as prescribed by the *Newfoundland and Labrador Fishery Regulations* (Canada);

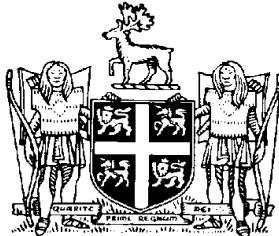
**2. Section 14 of the regulations is repealed and the following substituted:**

Angling and shooting by guides prohibited while employed

**14. (1)** A licensed guide, while employed as a licensed guide, shall not angle for salmon or trout in inland waters or shoot or hunt wild life but a licensed guide may, within reasonable limits, demonstrate the techniques of line casting and hooking of fish to an angler by whom he or she is accompanied.

(2) A licensed guide who hooks a fish while demonstrating the techniques of line casting to the angler by whom he or she is accompanied shall release the fish back into the water.

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## NEWFOUNDLAND AND LABRADOR REGULATION 17/10

*Wild Life Regulations (Amendment)*  
under the  
*Wild Life Act*  
(O.C. 2010-079)

*(Filed March 24, 2010)*

Under the authority of section 7 of the *Wild Life Act*, the minister, with the approval of the Lieutenant-Governor in Council, makes the following regulations.

Dated at St. John's, March 23, 2010.

Charlene Johnson  
Minister of Environment and Conservation

Gary Norris  
Clerk of the Executive Council

## REGULATIONS

### *Analysis*

1. S.2 Amdt. Definitions	4. S.6 Amdt. Valid licence required
2. S.3 Amdt. Inland fishery licence	5. S.7 Amdt. Operation of family licence
3. S.4.1 R&S River specific inland fishery licence	6. S.8 Amdt. Production of licence

7. S.101 Amdt.

Alteration of transfer of licence

8. S.111.1 Amdt.

Non-resident hunting

CNLR 1156/96  
as amended

**1. (1) Section 2 of the *Wild Life Regulations* is amended by adding immediately after paragraph (a) the following:**

(a.1) "artificial fly" means an artificial fly as defined in the *Newfoundland and Labrador Fishery Regulations* (Canada);

**(2) Section 2 of the regulations is amended by adding immediately after paragraph (d) the following:**

(d.01) "cohabiting partner" means either of 2 persons who have cohabited in a conjugal relationship outside of marriage for at least one year;

**(3) Section 2 of the regulations is amended by adding immediately after paragraph (i) the following:**

(i.1) "hooks" and "hooked" means to be in possession of a hook and line with the line held in the hand, or a hook, line and rod with the rod held in the hand, when a fish takes the attached bait, lure or artificial fly as prescribed by the *Newfoundland and Labrador Fishery Regulations* (Canada);

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

(r.1) "spouse" means either of 2 persons who are married to each other;

**2. Subsections 3(2) and (3) of the regulations are repealed and the following substituted:**

(2) For the purpose of this section, "family" means a parent or parents and their children including adopted and foster children and children of whom the parents are guardian, a grandparent or grandparents and their grandchildren, and a person and his or her spouse or co-habiting partner, but does not include an individual person.

(3) Only children and grandchildren under the age of 18 years may participate in a family inland fishery licence.

**3. Section 4.1 of the regulations is repealed and the following substituted:**

River specific  
inland fishery  
licence

**4.1** The minister may, by order, designate an area or areas of the province for which river specific inland fishery licences and tags may be issued, subject to the terms and conditions that the minister may prescribe.

**4. Subsection 6(3) of the regulations is repealed and the following substituted:**

(3) When a holder of an inland fishery licence or a family inland fishery licence, or a person angling under the authority of a family inland fishery license, to take salmon, hooks a salmon by angling, unless the salmon is released back into the water, that person shall immediately affix and lock or seal his or her tag through the gills and mouth of the salmon so that it cannot be removed without breaking the lock, or cutting, breaking or tearing the tag, mouth or gills.

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

Operation of family  
licence

**7. (1)** A parent or guardian or grandparent who is the holder of a valid family inland fishery licence shall accompany and supervise children and grandchildren under the age of 18 years while they are angling under authority of that licence.

**(2) Subsection 7 of the regulations is amended by adding immediately after subsection (1) the following:**

(1.1) A spouse or cohabiting partner angling under the authority of a valid family inland fishery licence shall angle in the immediate area of and within sight of the holder of the family inland fishery licence.

**6. Subsection 8(2) of the regulations is repealed and the following substituted:**

**(2)** Where children under the age of 18 years are angling under the authority of a family inland fishery licence, the parent or guardian or grandparent accompanying and supervising those children and grandchildren shall carry the licence and produce it on demand of a wild life officer, fishery officer or fishery guardian.

**7. Subsections 101(1) and (2) of the regulations is repealed and the following substituted:**

Alteration or  
transfer of licence

**101.** (1) A person shall not alter, change or deface in a material manner or loan or transfer to another person a hunting, trapping or inland fishery licence or written permission or badge or tag issued under the Act or these regulations.

(2) A person shall not angle for or hunt, take or kill wild life while in possession of or acting upon an inland fishery licence or a hunting or trapping licence or written permission or tag that has been altered, changed, defaced, loaned or transferred.

**8. Paragraph 111.1(1)(c) of the regulations is repealed and the following substituted:**

(c) "direct relative" means a father, mother, grandparent, sister, brother, son, daughter, grandchild or in-law who is a resident of the province;

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### PART II

#### CONTINUING INDEX OF SUBORDINATE LEGISLATION

<b>Title of Act and Subordinate Legislation made thereunder</b>	<b>CNLR or NL Reg.</b>	<b>Amendment</b>	<b>NL Gazette Date &amp; Page No.</b>
<b>Water Resources Act</b>			
Repeal of Notice of Protected Water Supply Area of Burlington West	NLR 15/10	Repeals CNLR 541/96	Mar. 26/10 p. 95
<b>Wild Life Act</b>			
Guides Regulations (Amdt)	NLR 16/10	Amends NLR 60/98, S. 2 Amdt. S. 14 R&S	Mar. 26/10 p. 97
Wild Life Regulations (Amdt)	NLR 17/10	Amends CNLR 1156/96, Ss. 2&# Amdt. S. 4.1 R&S Ss. 6, 7, 8, 101 & 11.1 Amdt.	Mar. 26/10 p. 99

*The Newfoundland and Labrador Gazette* is published from the office of Earl G. Tucker, Queen's Printer.

Copy for publication must be received before **Friday, 4:30 p.m.**, seven days before publication, to ensure inclusion in next issue.

Advertisements should be typewritten or printed legibly, separate from covering letter. Number of insertions required must be stated and the names of all signing officers typewritten or printed.

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All cheques, money orders, etc., should be made payable to THE NEWFOUNDLAND EXCHEQUER ACCOUNT and all correspondence should be addressed to: Office of the Queen's Printer, P. O. Box 8700, Ground Floor, East Block, Confederation Building, St. John's, NL A1B 4J6. Telephone (709) 729-3649. Fax: (709) 729-1900.

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